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# The Canadian Historical Review

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## THE CIVIL LIST AND RESPONSIBLE GOVERNMENT IN NOVA SCOTIA

### I

THE purpose of this article is to trace the steps by which the legislature of Nova Scotia obtained complete control over all revenue raised in the province, coincident with responsible government and the transfer of the casual and territorial revenues of the crown in exchange for a civil list, and in so doing assumed full responsibility for all expenses of government including the salary of the lieutenant-governor, who continued to be appointed by the imperial government until Confederation.

The term civil list originated in the reign of William III and was applied to a fund consisting of the hereditary revenues of the Crown supplemented by the proceeds of certain taxes, which were placed at the disposal of the Sovereign and were designed to cover the civil expenses of government as well as the expenses of the court and royal household. The nature and amount of this aggregate fund as well as the number of officials on the fund were altered from time to time by Parliament until finally the civil list comprised only the expenses of the royal family and household. Judges and ambassadors remained as a charge upon the civil list until the accession of William IV; but henceforth it was relieved of all charges except the expenses of the royal family and a limited number of pensions which the Sovereign was empowered to grant.

In the British North American provinces during the period under review, a broad distinction seems to have been made between the civil and military expenses of government; and the term civil list comprised all expenses of the administration of justice and of the support of civil government, some of which were discharged from revenues raised by the local legislatures; others from the proceeds of imperial acts, together with the casual and territorial revenues of the Crown, appropriated to that purpose; and still

others from an annual grant of the imperial Parliament. Ordinarily the latter grant was appropriated for the salaries of certain higher officials, who were regarded as the special representatives of the imperial government, or whose functions were such as to require that their salaries should be independent of annual votes of the local legislature. In the eighteen-thirties, when all revenues but the casual and territorial revenues of the Crown had come under control of the local legislatures and almost all items on the parliamentary grant except those of the clergy had been transferred to these revenues, the principles involved in the exchange of these revenues for a permanent civil list became more apparent to all concerned.

In the movement for responsible government, the power of the purse played an important part in all the provinces, the assemblies being anxious to control all revenues raised in the colonies in order to obtain control of the officials of government, while the imperial government was reluctant to surrender that portion of the revenue which had been appropriated for the salaries of officials appointed by them until the respective assemblies had made permanent provision for those salaries in a civil list: for, with surrender of control over the means of paying officials, also went, with few exceptions, the privilege of patronage; and the most that the imperial government could hope for was to see that the salaries of those already appointed should not be decreased during their tenure of office, and that those whom they still appointed should not be weakened in their support of imperial policies by dependence upon fluctuating votes of the assemblies.

It is true that from both New Brunswick and United Canada a civil list had been obtained several years before responsible government was fully conceded; but in Nova Scotia negotiations for control of revenue on one hand, and for a permanent civil list on the other were prolonged from 1825, when the first proposal for a permanent civil list was made, to 1848, when responsible government was fully conceded and agreement was reached in principle on a civil list in exchange for the casual and territorial revenues of the Crown; and both parties to the negotiations were fully conscious of the constitutional implications of these negotiations from the beginning.

In the Canadas the urgency of events, which had preceded the Union Act of 1840, and of the inducements, which were offered by the imperial government to effect a union, temporarily obscured the relationship between the power of the purse and responsible



government; but in Nova Scotia, where no such urgency existed, this relationship was maintained until the end; and it was the "official party" in the provinces rather than the Reformers or the imperial government which prolonged the negotiations, by trying to increase the number of officials to be retained on the civil list, by resisting the demands of the Reformers that salaries should be reduced to a scale more in conformity with standards of living in a colony, and by trying to make the tenure of all important offices incompatible with a seat in the Assembly and independent of its wishes.<sup>1</sup>

## II

By 1825 when the colonial secretary made the first suggestion of obtaining a permanent civil list from the legislature of Nova Scotia, the expenses of the executive government and the judiciary borne by both the imperial and the local governments had approached their maximum. In addition to its share of these expenses, the imperial government had assumed responsibility for support of the bishop, clergy, and college of the Church of England in the colony; and, until 1823, discharged all these expenses, with the exception of a small allowance to the lieutenant-governor after his responsibilities were increased by the annexation of Cape Breton to the province, by means of a grant from Parliament.

A comparison of the parliamentary grant for 1788, the first time that the bishop's salary appears in the estimates, with that for 1823 shows that it had risen in the interval from £5,845 to £13,140 and that the largest increase in the estimates was due to the cost of maintaining the established church and college. In 1788, the salary of the bishop was only £700 and the allowance for missionaries of the Society for the Propagation of the Gospel £815; but in 1823 the bishop's salary had risen to £1,000, with an additional £150 for a commissary, the allowance to the Society for the Propagation of the Gospel to £3,750, and that to the governors of King's College to £1,000. In other words, the annual cost of maintaining the Anglican Church and college in Nova Scotia had risen from £1,515 in 1788 to £5,900 in 1823 and actually exceeded the entire parliamentary grant for 1788.

<sup>1</sup>Apart from secondary authorities, which will be referred to specifically, this article is based entirely on original sources: official correspondence, minutes of council, journals of the assembly and council, reports of debates in the legislature as found in contemporary newspapers, and manuscript material in the Public Archives of Nova Scotia.

The only officials on the imperial civil list, who had received an increase of salary in this period, were: the lieutenant-governor, whose salary was raised from £1,000 to £2,000; the chief justice from £500 to £850; and the superintendent of the fisheries from £100 to £200; but the latter official had been provided with a vessel for his use, the upkeep of which cost £600 in 1802, £2,400 during the War of 1812, but was reduced to £1,500 in 1823. The salaries of the other permanent officials had not changed since 1788, but the number of pensioners on the estimates had varied from time to time.

Between 1823 and 1825 some changes were made in the method of payment and by transfer of some items to other accounts; and these changes, though increasing the total expenditure of the imperial government, reduced the regular parliamentary grant for 1825 to £9,660. In 1824, the lieutenant-governor's fees of office, hitherto collected as they became due, were commuted for £1,000 on the casual revenue, into which fund they were to be paid henceforth; and in 1825 the provincial secretary's fees were commuted in the same way for the same amount. In 1824, also, Bishop Stanser was retired with a pension of £300 on the casual revenue. In the following year this amount was increased to £350, and the salary of the new bishop was raised to £2,000, to be paid for that year out of contingencies but to be placed on the parliamentary grant for 1826. In 1825, also, the entire grant to the Society for the Propagation of the Gospel was transferred to a new account, The Clergy, North America; but this could not conceal the fact that the expense had still to be borne by Parliament.

In 1825, therefore, the colonial secretary was faced with the disagreeable duty of asking Parliament for almost £15,000 sterling, in return for the privilege of maintaining its prestige and patronage in Nova Scotia, at the moment when it had given up its control of all revenues but the casual and territorial revenues of the Crown, which were already burdened with all that they could bear. In 1825 these revenues, comprising rents from the coal mines of Pictou and Sydney and fees of the lieutenant-governor and provincial secretary, amounted to only £3,785 currency, against which there were charges amounting to £3,667.

But in Nova Scotia also the expenses of the judiciary and of administration had been increasing gradually, and the legislature had found it very difficult to meet these expenses while providing the varied and exacting services needed in a pioneer community. In 1789 the legislature had fixed the salary of the two puisne judges

of the Supreme Court for whom they were responsible at £400 currency. In 1809 a third judge was provided and the salaries of all three raised to £500. In 1816 an associate judge was appointed at a salary of £400; and in 1822 the salaries of the other three were increased to £600.

Prior to 1824, the judges in the Inferior Courts of Common Pleas, which had been established in Halifax in 1752 and gradually extended to other parts of the province since that date, were not more qualified than the magistrates who met in quarter sessions for the administration of petty justice and local government; but in that year provision was made for the appointment of a qualified lawyer as first justice of the Inferior Courts of Common Pleas in each of the three judicial districts of the peninsula of Nova Scotia, at a salary of £400 currency. In the previous year a first justice had been appointed for these courts in Cape Breton Island, at a salary of £500. In all instances the justices were given a travelling allowance in addition to their salary.

In 1825 the administration of justice cost the local government in salaries and travelling allowances £4,459. In the same year the expenses of the local administration amounted to £2,544, of the legislature to £2,295, and of collecting the revenue to £1,390, a total of £10,688, which was more than one-fifth of both the revenue and expenditure of that year, and more than half the expenditure on roads, bridges, and aids to navigation—the most obvious needs of all pioneer communities. Moreover, at this date the province had a funded debt of £38,150, bearing interest at 6 per cent, and an additional liability of £31,877 for treasury notes in circulation; and its only source of revenue prior to 1822 was the local duties of impost and excise levied on beer, wines, and spirituous liquors, and a few other luxuries, as the duties collected by the imperial customs officers under the navigation acts had hitherto been remitted to the Mother Country.

However, in 1822, when the Wallace-Robinson Acts made the first breach in the old mercantile system, by removing some of the restraints on colonial trade and providing that the net produce of the duties levied on imports under these acts should be paid into the provincial treasury, the province anticipated a considerable increase in revenue; and when the Huskisson acts opened certain colonial ports to all foreign countries, on the principle of reciprocity, though subject to certain protective duties, and in addition abolished all the vexatious fees hitherto exacted from shipping by the customs officers in lieu of salary, the province anticipated a

much greater increase of revenue and expansion of trade. It was while Nova Scotian rejoicings in this prospect were at their height and before the constitutional controversy over control of this new revenue had arisen that the colonial secretary made his suggestion of a permanent civil list.

### III

During the Revolutionary and Napoleonic Wars in Europe and the War of 1812 in North America, colonial affairs had been administered by the secretary of state for war and the colonies, and naturally subordinated to the needs of a successful war effort. Under such circumstances, the imperial government was most concerned with maintaining the loyalty and co-operation of the colonies regardless of expense. This in itself would account for the increased favours shown to the Church of England, as the cement of the British constitution, in the colonies salvaged from the American Revolution, especially during the War of 1812, even if there had been no other factors involved. But this was also a period of reaction in England when Tory squire and cleric controlled political and religious thought and, under the spell of anti-revolutionary literature, inspired oppressive legislation against democracy and dissent, while Parliament left colonial affairs almost entirely to the administration and gave a free hand to the officials concerned.

When the war was over, however, and Parliament began to count the cost and to seek every means of reducing expenditures in the face of a national debt of £860 million, all departments of government came under review, including the colonial office, which now emerged as the chief division of the ministry of war and the colonies, although it was not made a distinct department until 1854. From 1819 onwards the administration of neither the newer nor the older colonies could escape the watchful eye of Parliament, especially of the radical members who voiced the frustrated liberalism of the past three decades and the political and religious ideals of the new industrial and urban civilization; and when Huskisson's acts had surrendered the imperial monopoly of colonial trade, thereby removing one of the chief arguments in defence of the heavy expenditures on colonial administration, these members directed their attacks against the heavy parliamentary grants. It was under such pressure that Lord Bathurst, colonial secretary, 1812-27, tried first to get the colonies to assume the charges hitherto borne by Parliament and, failing in this, to transfer as many of them as possible to the casual and territorial revenues of the Crown.

In a despatch dated October 8, 1825, he proposed to Lieutenant-Governor Kempt that, in view of the increased revenue that Nova Scotia would receive as a result of the recent imperial legislation, the legislature should grant a permanent civil list of £6,450 to meet the long established charges for the lieutenant-governor, chief justice, and other officials, as well as those for the vessel used by the superintendent of the fisheries, and for the grant to the governors of King's College. Kempt, who had been forewarned by Under-Secretary Horton, replied, on November 16, that he did not think the moment opportune for such a proposal, as the Trade Acts would not go into force until January, 1826, and the province had not yet felt any of the benefits that were anticipated. Moreover, as an election was to take place in the following year the assembly would be very hesitant about undertaking new expenditures. In this reply, the lieutenant-governor interpreted faithfully the views of the assembly as later events were to show, and gave good reasons but not the real ones why he himself should be lukewarm about the proposal: for in a confidential despatch written three days later, he expressed what might be called the official point of view in the colonies throughout the struggle and argued that if Lord Bathurst's proposal were adopted it would mean "the disappearance of English habits and feelings" from the colony, while the assembly would regard "the Governors and all the Officers of the Colonial government to be their servants rather than their Kings." In this despatch he enclosed the opinions of S. G. W. Archibald, speaker of the assembly, to the same effect, but with a little more emphasis upon the danger of encouraging Nova Scotians to imitate their Republican neighbours by giving them the power of the purse.

Though these letters convinced Lord Bathurst that the time was not opportune for pressing his proposal and caused him to seek other means of relieving the British taxpayers, Kempt tested opinion expressed in his first despatch in his speech at the opening of the legislature in February, 1826, by suggesting tactfully that the anticipated expansion of commerce and increased revenue might "incline them to relieve the Parent State from some of the Expenses of their Civil Establishments which are still defrayed out of the Revenues of the United Kingdom." But both the council and the assembly evaded the issue as tactfully as he had presented it. The council replied that the increased revenue would "create an inclination to relieve the Parent Kingdom from some of the burden of their Civil Establishment," while the assembly expressed the hope that there would be a considerable increase of revenue,

which would "eventually enable us to enter upon the important consideration of relieving the Parent State in some degree from the expense of our Civil Establishment."

Both the council and the assembly were repeating with slight variation the phraseology of the speech from the throne, but the assembly was more guarded, as befitted a body that was about to enter upon a struggle with the imperial government for complete control of the revenue arising from the recent imperial trade acts, and, as it transpired, a struggle which was not to be concluded until it had made a permanent grant of a larger amount for the salaries of the customs officials than it had been asked by Lord Bathurst to grant for the civil list.

The controversy arose over interpretation of 6 Geo. IV, cap. 114, which stated that the produce of the duties levied should be paid into the provincial treasury. The imperial government interpreted this as *net* produce, after deducting a good round sum for the salaries of the customs officials, over whom the local legislature had no control whatever. The assembly insisted that produce meant *gross* produce, out of which they would pay these salaries and have some voice in determining their amount.

Prior to 1825, the officers of the customs and the naval officer had been paid by fees, which they themselves collected from all shipping that entered the respective ports; but the acts of 1825 had abolished all such fees, as well as the naval office, and proposed that the customs officers be placed on salaries. Accordingly, the commissioners of customs had instructed the local officials to keep a generous proportion of the duties which they collected for their salaries and to pay the balance into the provincial treasury. The assembly argued that as the imperial government in 1778 had renounced its intention of levying any taxes in future for revenue purposes its present attitude was unconstitutional. They were careful to state that they did not claim control over the "Old Crown Duties" which were levied under imperial acts prior to that date; but they contended that the revenues derived from the acts of 1825 "do, of right belong to, and are by Statute placed at the disposal of the Colonial Legislature." On the other hand even Huskisson, who had responded so handsomely to the appeals of Nova Scotia and other colonies against the exorbitant fees and burdensome restrictions on colonial trade, held the view that the right of the imperial government to impose these duties and have them collected by the customs officers was derivative from that of regulating the commerce of the colonies, as was also the right of



retaining out of the duties the necessary expenses of collection and of paying only the net produce to the colony concerned.

The controversy dragged on for several years during which a new lieutenant-governor, Sir Peregrine Maitland, came to Nova Scotia and three colonial secretaries passed off the stage, leaving the last word to Sir George Murray. In the end, the Assembly of Nova Scotia had its way in accordance with the terms of 10 Geo. IV, cap. 31, which was passed with a suspending clause early in 1829, but did not get the reluctant imperial assent until late in 1830.<sup>2</sup>

In this act the legislature reaffirmed its claim to full control of the gross revenue, and asserted that the customs officers had collected over £66,000 sterling, in the three years 1826-9, but had paid into the provincial treasury only £40,150, thereby leaving a balance of £25,857 due to the province. They recognized their duty to contribute towards the salaries of the customs establishment by appropriating to His Majesty a lump sum of £6,430 9s. sterling out of the duties to be collected and paid into the provincial treasury at stated periods each year, "in full satisfaction of all Fees, Perquisites or emoluments whatsoever from the People of this Province or Vessels trading thereto, heretofore demanded." Finally, with a touch of irony they enacted that the said balance of £25,857 1s. 11d. farthing "not paid in by the Officers of the Customs at Halifax, from the duties collected as aforesaid, shall be and the same is, hereby humbly, absolutely and freely given, and granted to His Majesty."

Such an offer couched in such language must have been as difficult to accept as to refuse: for, in assenting to the act however reluctantly, the imperial government had to concede the constitutional claims both expressed and implied. Moreover, though the amount voted permanently for the salaries of the customs officials was regarded locally as too large, it proved to be too small for the rates fixed by the imperial government, which however was able from the revenue of the old Crown duties, which it still retained, to make up the difference without any expense to the British taxpayer.

<sup>2</sup>For details of this controversy and the local leaders see Marion Gilroy, "The Imperial Customs Establishment in Nova Scotia, 1825-1855" (*Canadian Historical Review*, Sept., 1938, 277-91).

## IV

In the meantime, Lord Bathurst and his successors<sup>3</sup> had been trying to provide for the civil list without the aid of Parliament by increasing the casual and territorial revenues of the Crown. To this end, they negotiated with the General Mining Association, an organization formed by the London Jewellers, Rundell Bridge and Rundell, who had obtained a lease from the Duke of York, in payment of his heavy debts, of the rights which he had obtained over the mines of Nova Scotia, and finally gave this association a monopoly of the coal mines of both the peninsula of Nova Scotia and Cape Breton Island, in return for an annual rental of £3,000 sterling and a royalty of 2s. per chaldron on the amount sold in excess of 20,000 chaldrons.<sup>4</sup> Though this arrangement did not increase much the revenue hitherto received from these mines and was very unpopular locally, it provided an assured income for the moment with great expectations for the future of an expanding market, and the optimistic colonial secretaries hoped to supplement it by larger revenues from other sources; but none of these hopes were realized, partly because they were founded upon policies planned without sufficient knowledge of local conditions and partly because some of these policies met with strenuous opposition from the constitutionally-minded leaders of local opinion.

One of these schemes, a double-headed project, was the encouragement of large-scale immigration to Nova Scotia to increase the demand for large blocks of crown lands, which henceforth were to be disposed of by sale to companies or individuals rather than by grant as hitherto; but, after two agents had been sent out at considerable expense to report on available lands and prolonged efforts had been made to organize a company similar to the Canada Company, this part of the project was abandoned because it was found to be impracticable under local conditions. While these negotiations were in progress, a commissioner of crown lands had been appointed and elaborate instructions issued for disposal of the lands by sale to the best advantage; but, with the exception of the years 1827-8, when the change of policy was being made and all who had previously applied for grants were allowed to obtain their

<sup>3</sup>Between 1827 and 1835 seven different secretaries of state succeeded Earl Bathurst in the Colonial Office: F. J. Robinson (afterwards Lord Goderich), 1827; W. Huskisson, 1827-8; Sir G. Murray, 1828-30; Lord Goderich, 1830-3; E. Stanley (afterwards Lord Derby), 1833-4; T. Spring Rice, 1834; Lord Aberdeen, 1834-5; and C. Grant (afterwards Lord Glenelg), 1835-9.

<sup>4</sup>For details of this exercise of the royal prerogative, see J. S. Martell, "Early Coal Mining in Nova Scotia (*Dalhousie Review*, July, 1945, 156-72).



lands under the old system of paying the fees of office, almost the entire revenue derived from this source during the next decade was absorbed by the costs of survey and the salary of the commissioner.

The only other means of increasing the revenues of the Crown that occurred to the colonial secretaries, apart from a direct appeal to the local legislature to grant a permanent civil list, was to revive the collection of quit rents, which had been suspended since 1774, although two abortive attempts to resume their collection had been made in the interval. The first attempt had been made in 1802, but abandoned on the renewal of war with Napoleon. The second had been made in 1811, but it also had failed in the following year, when the local assembly had rejected an alternative proposal of the imperial government that suitable provision be made for the clergy of the Church of England in Nova Scotia, on the ground that they could not hope to preserve harmony among all the denominations of Christians which they represented, if they made provision out of the treasury for the clergy of the Church of England, or in any way raised taxes on other classes of Christians for that church. As the question had not been raised since that date, the local legislature concluded that the collection of these rents had been suspended permanently. This third attempt to enforce their collection, therefore, provoked prolonged and heated discussions in the assembly, challenged the ingenuity of six successive colonial secretaries who offered various plans for commutation during the controversy, and finally in 1835 yielded only £2,000 to the casual and territorial revenues of the Crown, appropriated specifically to the salary of the lieutenant-governor so as to guard against any possibility of its being used for support of the Anglican clergy or increasing the salaries of the judges.

In the meantime, these transient colonial secretaries had been juggling with the items on the parliamentary grant, overloading the casual and territorial revenues of the Crown, and listening to the appeals of local officials for increased salaries before they were put on the permanent civil list, which the local assembly was expected to provide.

In addition to the special grant of £4,333 to the Society for the Propagation of the Gospel, the parliamentary estimates for Nova Scotia from 1828 to 1830 were identical, and totalled £10,445, as follows: salary of the lieutenant-governor, £2,000; chief justice, £850; attorney-general, £150; secretary, registrar, and clerk of the council, £250; surveyor-general of lands, £150; treasurer, £50; allowance to bishop, £2,000 and travelling expenses, £150; protho-

notary, £100; minister of Church of Scotland, £75; archdeacon, £300; widow and daughter of Dr. Cox, £100; vessel for superintendent of fisheries, £1,500; governors of King's College, £1,000; Mrs. Tonge, widow of late Naval Officer, £80; agent, £200; surveyor-general of Cape Breton, £100; retired officials of Cape Breton: chief justice, £500; secretary, £300; naval officer, £50; provost marshal, £100; Mrs. Hartley, £40; and for support of establishment on Sable Island, £400.

In preparing the estimates of 1831 for Parliament, Goderich first suggested transferring the allowances to the bishop, the pensions to Mrs. Cox and Mrs. Tonge and to the officials of Cape Breton, to the casual and territorial revenues; and dispensing altogether with the vessel for the superintendent of the fisheries; but, on receiving notice from the lieutenant-governor that these revenues could not carry the additional load and from the bishop that the transfer of his salary would create an uproar in the colony, he decided to put the salary of the bishop back on the parliamentary grant and to substitute those of the chief justice and attorney-general on the casual revenue. He also decided to keep the vessel on for another year charging £1,000 to the treasury and £500 to the casual revenue. The final arrangement meant that the charges on the casual revenue for 1831 had been increased by £2,820, while the parliamentary grant had been reduced to £6,625.

In the following year Goderich proved himself a still more expert juggler and removed the name of Nova Scotia from the visible parliamentary grant after March 31, 1832. To enable the local government to make the transition, Parliament was asked for £800 for the first quarter of that year; but thereafter all items remaining on the civil list, except the salaries of the clergy and the grant to the governors of King's College, were to be transferred to the casual and territorial revenues. All grants to the different clergy for all the British North American colonies were consolidated in one account and the Society for the Propagation of the Gospel was notified that its grants would be gradually reduced, while the governors of King's College were warned that they would receive only £500 in 1832 and in 1833, after which this grant would cease.

Though these arrangements satisfied the parliamentary critics of the colonial secretary, they brought consternation to the local officials, many of whom were hoping to get higher salaries on a permanent civil list; but now as the casual revenues were so heavily overloaded, they feared that they would not get their full salaries, at existing rates. To ease the burden on the casual revenue until

quit rates should be collected or commuted and larger returns received from the coal mines and the sale of crown lands, Goderich suggested that the salary of the lieutenant-governor be reduced to £3,000 and that of the secretary to £1,000, though in insisting that the latter be free from all deductions he actually increased the burden on the local revenue as the secretary received more than the £250 now transferred, in contingencies. But, as the new treasurer had been notified that his salary of £50 would be taken off the civil list at the end of 1831, the vessel for the superintendent of the fisheries had been discontinued, and some of the pensioners had died or received other appointments in the interval, the increased charges on the casual revenues did not exceed the £2,000, which the colonial secretary had been hoping to get from the assembly in commutation of the quit rents.

Having relieved Parliament, temporarily as it proved, of its share of the civil list of Nova Scotia and provided an assured income for the clergy without cost to the local legislature, Goderich felt confident that he could induce the latter not only to relieve the casual revenue by providing for the salaries of the chief justice and the attorney-general at higher rates but also to increase the salaries of all the judges hitherto provided for by the local legislature. Accordingly, on December 4, 1832, he instructed Maitland to offer the legislature the option of providing for the judiciary and the law officers of Nova Scotia higher salaries, or of commuting the quit rents for £2,000 on the casual revenue. In a confidential despatch of the same date he advised the lieutenant-governor not to suggest specific salaries, although he thought the chief justice should receive from £1,000 to £1,200 and the puisne judges from £800 to £1,000; but to insist that whatever salaries were assigned to the judges should be granted permanently and made a first charge upon the local revenue.

Though Goderich resigned as colonial secretary before news of the reception of these proposals by the local legislature had reached the colonial office, he might have found comfort in the thought that his financial wizardry had evoked the most emphatic claim of the assembly to control all revenues raised from the people of Nova Scotia that could be made, and the clearest definition of the principles upon which all negotiations between the colony and the mother country should be conducted in future; for however much their offers differed in detail according to pressures of the moment, successive colonial secretaries could negotiate on these principles only; and, as honest brokers, could dicker only over the

number and salaries of officials placed on the civil list which was to be provided in exchange for the casual and territorial revenues of the Crown.

In this address the assembly asserted that no principle had ever been held more sacred than that by which British subjects were "entitled to direct and control the expenditures of all monies paid by them for the purposes of government," and that in no portion of the Empire was this principle "more anxiously cherished" than in Nova Scotia; that "its inhabitants feel that a Revenue derived from their labor, and expended without the control of their representatives, by which a fund is secured which may hereafter be applied to create an influence that may endanger the independence of this the popular branch of the Legislature, is at variance with the existence of their undoubted rights and calculated to weaken that affectionate attachment which now universally prevails towards Your Majesty's Government," and that of this nature were the proceeds of quit rents and all sums of money "comprehended and received under the denomination of Casual Revenue." Finally, after concurring in the "propriety of securing to the judges a permanent as well as an adequate income" and enumerating the revenues not under control of the local legislature, the assembly declared that whenever such revenues were placed under their control they would be willing to grant to His Majesty "such sum as may be required to defray the expense of maintaining the Civil Establishment" of the province.

On receipt of this address and reports of heavy arrears in the salaries of officials on the casual revenue, Secretary Stanley decided that the only way out of the difficulty was to surrender the casual revenue to the assembly and take in exchange a moderate civil list. Accordingly he instructed Administrator Jeffery to offer the proceeds of the coal mines, of the fees at the provincial secretary's office and of the land sales, which he computed at £5,000, to the legislature in exchange for a civil list of £4,500, for the salaries of the lieutenant-governor £3,500 and of the provincial secretary £1,000. As for the remainder of the expense of the civil establishment, he was confident that the assembly would provide this as well as make up the arrears on the casual revenue for 1833. He suggested also that Jeffery should make a separate arrangement for the judiciary by surrender of the quit rents.

Before considering these proposals in the session of 1834, the assembly obtained detailed statements of all sources of casual revenue, the charges and arrears against it, and also of the fees col-

lected by the judges of the Supreme Court and the law officers of the province. They were, therefore, in an excellent position to examine and discuss all aspects of the problem, including the proper relationship between the salaries required in a pioneer community and the salaries allowed by the imperial government. The latter question, particularly the salaries and fees of the judges, provoked heated discussions not only in the assembly but also in the press and was one of the factors leading to the defeat of the bill when it was finally presented to the assembly.

As finally presented, the bill provided £5,000 for a permanent civil list and £1,568 for the remaining salaries or charges on the casual revenue, in exchange for all revenues not yet under local control, excepting the old crown duties, but including the quit rents and the net proceeds of the inland postage. Though the total of £6,568 offered by the assembly was identical with the amount then charged against the casual revenue, and the amount of the permanent civil list was identical with Lord Stanley's estimate of the casual revenue to be exchanged, there was a marked difference in the items of both the civil list and the casual revenue offered by the two parties to the contract: for, in order to include the chief justice and the law officers of the province on the civil list, the assembly had reduced Lord Stanley's estimate for the salary of the lieutenant-governor by £1,000; and, having thus provided for these officials without revenue from the quit rents, it had added these rents to the list of casual revenues to be surrendered.

Despite these radical changes in the basis of negotiation, it is not improbable that Stanley would have accepted the proposed arrangement if the bill had become law; but owing apparently to opposition both within and without the assembly, it was defeated on its second reading and did not reach the council. In 1834 Halifax was at the nadir of a depression, and a few days before this vote was taken the freeholders of the capital had petitioned the assembly against the high salaries offered by the bill, and the representatives of rural constituencies were always ready to protest against any expenditures which were likely to diminish the amount to be voted for roads and bridges. Consequently, Alexander Stewart, who had led the protests against collection of quit rents and whose motion to provide for the civil establishment had elicited Stanley's offer, moved that the bill be deferred until the following year; and his motion carried by a majority of one. Later in the session, various motions were proposed and rejected to make temporary provision for the judiciary or to commute the quit rents for

that purpose; but finally a resolution was carried requesting the administrator to have the collection of quit rents suspended for another year, in order that the assembly would have more time to consider the provision of a civil list.

On receipt of this request, Stanley replied that the Crown had no alternative since the assembly had rejected his offer; but, while instructing the new lieutenant-governor, Sir Colin Campbell, not to renew his offer to exchange the casual revenue for a civil list, he consented to give the assembly one more chance to commute the quit rents for £2,000 to be applied towards the salaries of the lieutenant-governor, the colonial secretary, and the chief justice. A week later he surrendered the seals of the colonial department and left the problem to Spring Rice, who held office for six months; and to the Earl of Aberdeen, who four months later gave place to Charles Grant (Lord Glenelg), on April 10, 1835.

In the meantime Sir Colin Campbell had met the legislature, outlined Stanley's ultimatum, and succeeded in getting a grant of £2,000 in commutation of the quit rents, to be applied exclusively towards the salary of the lieutenant-governor. But, as this amount did not make the casual revenue equal to the charges upon it and arrears had been accumulating rapidly, he implored the successive colonial secretaries to call Parliament to his aid. In 1835 Parliament reluctantly granted £4,318 to wipe out the arrears, £1,500 for the remaining portion of the lieutenant-governor's salary, and £400 for the establishment on Sable Island. The last two items remained on the parliamentary estimates for the next five years. In 1840, £1,000 of the lieutenant-governor's salary was transferred to the casual revenue and, in 1842, the remaining £500; henceforth Parliament appropriated only the £400 for Sable Island, and the officials of Nova Scotia were notified definitely that they could expect no further aid from the British taxpayer. In other words, it was not until 1842 that the issues were as clear cut as they had been in 1833; and that the local executive government could no longer feel that the scales were weighted in their favour in their struggle with the assembly over a civil list, though in the interval, with the consent of the colonial office, they had secured an advantage over the assembly by raising the salaries of the judges and law officers, through supplementary grants from the casual revenue, to a standard from which later colonial secretaries refused to depart, so far at least as existing office holders were concerned. But, with these qualifications, it may be said that successive colonial secretaries pursued a consistent policy towards the various at-



tempts that were made by the local executive government and legislature to reach a settlement of the vexed problem.

# V

As the principles involved in the exchange of the casual revenue for a permanent civil list were stated as early as 1833 and the arguments pro and con fully set forth, a detailed account of the abortive efforts and accompanying debates that were made to settle the question before the achievement of, and parallel to, the movement for responsible government is unnecessary. All that is necessary is a rough comparison of the different offers made by both parties to the negotiations and the attitude of the colonial secretary at the time; but even such a comparison is difficult to make briefly, because the number of officials to be provided for differed considerably during the period.

In 1837 Sir Colin Campbell suggested to the colonial secretary a permanent civil list of twenty items, which amounted to £10,690, including the £1,500 still on the parliamentary grant; but Lord Glenelg reduced the number of these items to nine and the total, for which Sir Colin wanted £8,965, to £7,965, on the ground that this amount was all that was necessary for the support and independence of the principal officers of the civil and judicial establishments and that the other eleven items could be provided for by annual votes of the assembly.

In 1838 the assembly offered a bill, which placed only the lieutenant-governor, the chief justice, and the puisne judges on the permanent civil list, the judges all being offered £150 less than Lord Glenelg's figure; and placed the other officials named by Lord Glenelg, including the provincial secretary and law officers, on a schedule to be voted annually, the whole amounting to £7,365. This bill was rejected by the council because it would have abolished judges' fees without compensation and left the other principal officers of government at the mercy of the assembly.

Under these circumstances Sir Colin informed the colonial secretary that he saw no hope of getting a satisfactory civil list by submitting the items in detail to the assembly, but that if they were asked for a round sum of £5,000, in addition to the specific appropriations they were already making, they might be induced to agree. In reply, Lord Glenelg instructed Sir Colin to withdraw his original offer, but at the same time to inform the legislature that whenever they were willing to appropriate a lump sum of £4,700 towards the civil list, for a period of ten years, he would be prepared to transfer the casual revenue to them. In a confidential letter, he advised the lieutenant-governor to adopt his scale of

salaries for the judiciary, if the judges would agree to accept the increase in lieu of fees, whether the assembly accepted or rejected his last offer. Consequently from January 1, 1839, the judiciary and the law officers were all paid at a higher rate, the salaries of those who were provided for by local acts being supplemented from the casual revenue.

The next attempt to settle the question was made in 1840, when the assembly introduced a bill offering a permanent civil list of £7,100. This offer raised the salaries of the judiciary slightly, and included the master of the rolls but still left the law officers to be provided for by annual votes. It also was rejected by the council and an attempt to revive it in the following year was discouraged by Lord Falkland and the members of the assembly in the council, although Falkland was very anxious to have the question settled as the casual revenue was decreasing. In 1841, however, the legislature abolished the Inferior Courts of Common Pleas and added one of the judges to the Supreme Court, at a salary of £560 sterling without fees. This sum became the assembly's standard for puisne judges in all future discussions, and was only departed from for judges appointed previously to this date and by insistence of the colonial secretary.

During the next three years there was a rapid accumulation of arrears on the casual revenue; and in desperation Falkland's "rump cabinet" pushed a bill through the legislature, in 1844, offering a civil list of £7,740, which fixed the salary of the chief justice at £880, all other judges at £560, the provincial secretary at £560, the attorney-general at £400, and the solicitor-general at £100. Though the bill was not formally disallowed, it was not assented to as the colonial secretary awaited the outcome of the constitutional controversy that was at its height at the moment.

When the Tories were defeated in 1847 and responsible government finally was conceded in 1848, the reform assembly immediately tackled the problem, offering a civil list of £8,340 for the present holders of office and £7,600 for the future, together with arrears of £1,634 4s. 10d., calculated on the basis of the salaries assigned in the bill of 1844. But again the colonial secretary adhered to the ruling of his predecessors and insisted that the salaries of office holders of long standing should not be reduced below the figures offered by Lord Glenelg and that arrears should be calculated on that basis. Finally, by 12 Vic., cap. 1, a civil list of £8,440 was provided, together with £2,067 7s. 11d. for arrears; and the prolonged controversy was set at rest.

D. C. HARVEY

Public Archives of Nova Scotia.



## TWO WAYS OF LIFE: THE SPIRIT OF OUR INSTITUTIONS\*

*"Achieved liberty is the one ethical result that rests on the converging and combined conditions of advancing civilization."<sup>1</sup>*

ANYONE who undertakes to investigate the spirit of our institutions must come to grips at once with what I have elsewhere called "Two Ways of Life," for it is an area in which the two races are widely separated. Yet unless we give up altogether the view that Canada is a community—a step for which I cannot believe many Canadians are ready—we must make the attempt to find common ground. There is far more of that than is usually assumed, particularly if scholars from both groups are willing to explore it together.

Naturally in a short paper, it is impossible to do more than make a few generalizations, all susceptible of challenge. Nor is it possible to introduce much novelty. Nevertheless, no pardon need be asked for retreading familiar ground, for nothing needs more frequent restatement than the nature of our institutions. The time is coming for that to be summarized and once more read into our constitution, as it has been before. Whether the wisest type of restatement consists in a Bill of Rights<sup>2</sup> is a matter for discussion. That there should be restatement is not. Freedom is everywhere and at all times challenged and never was it more seriously challenged than in the present age. Restatement, therefore, is imperative.

### FRENCH INSTITUTIONS PRECEDING THE CONQUEST

Everyone knows that the accepted law in French Canada was the Custom of Paris, the most highly developed of French regional

\*This paper was presented at the annual meeting of the Canadian Historical Association, May, 1947.

<sup>1</sup>Lord Acton, *Inaugural Lecture on the Study of History* (London, 1930).

<sup>2</sup>It should be noted that the Canadian constitution already has its bill of rights. Not only do the federal sections in themselves lay down fundamental divisions of power which may not be transgressed, but there are also special guarantees to special groups of the King's subjects. Of these the most important are Section 133, containing the guarantee of the French language and Section 93, on education. Any federal constitution is in itself a bill of rights, or, to use another and related term, it is fundamental law. Canada, unlike Great Britain, is not a country of parliamentary supremacy but of fundamental law. Moreover, the English Bill of Rights of 1688 is still in force in Canada, as are all the other great constitutional statutes (such as Magna Carta) enacted previous to 1867.

laws.<sup>3</sup> While it never became the common law of metropolitan France, it was the only code introduced into the colonies.<sup>4</sup> In France it was modified by the great reforming and codifying edicts<sup>5</sup> which reorganized French law and laid the basis for the Code Napoléon. The Ordinance of Civil Procedure was registered in the Sovereign Council of Quebec and formally came into force in 1679. The others were not registered. But on the principle that metropolitan law extended to a colony they nevertheless were in force.<sup>6</sup> The Custom of Paris, as modified, remained the basis of law in the province of Quebec until reorganized and caught up into Cartier's code of 1865.

Two points in connexion with it immediately attract the attention of a person accustomed to English institutions: the first is that, despite the completion under Louis XIV of the edifice of absolutism, it apparently takes for granted the rule of law; the second is that in contrast with its careful provisions for the rights of one subject as against another, it has no provision for the rights of the subject against the state.

French monarchy, as it worked out in the seventeenth century, has been called totalitarian. It is true that no will could stand against that of the king and that Louis XIV subdued to himself virtually every other element within the state, including the church, but he made no formal abrogation of law. Law may, in the last resort, have been the king's will, but it remained law. The impression received from the books and documents of the time is not of a régime in a high state of flux, with officials acting on the whispered or fancied wishes of the king, but of one in a considerable state of legal stability, which performed its official acts with due ceremony and order. With too much, in fact: one of the objects against which revolutionary and Napoleonic ire was to be directed, was the legal system, with its overdose of formalism.

<sup>3</sup>The Custom of Paris was formally written down in 1510 and was reformed under a commission in 1580 ("l'ancienne coutume, la nouvelle coutume").

<sup>4</sup>Edmond Lareau, *Histoire du droit canadien* (2 vols., Montreal, 1888), I, 140 ff.

<sup>5</sup>Those on civil procedure of 1667; the criminal ordinance of 1670; the second criminal ordinance of 1685 (*code noir*); the commercial ordinance of 1673 (*code marchand*).

<sup>6</sup>"Les tribunaux, présidés par des juges anglais se fiant aux ordonnances du général Murray, introduisaient dans la jurisprudence du pays cette nécessité de l'enregistrement. . . . Mais après une étude plus approfondie, lorsqu'on remonte à la source même des autorités, on en vient malgré soi à la conclusion que la nécessité de l'enregistrement est venue dans notre législation par suite de la conquête. . . . Cette nécessité a donc une origine toute anglaise et il n'en a jamais été question pendant la domination française. Toutes les ordonnances générales du royaume enregistrées au parlement de Paris étaient en force en Canada" (Lareau, *Histoire du droit canadien*, 1, 136-7).

In Canada, the element of distance created its own variations. The monarchy proceeded on the principle of *divide et impera* in its careful avoidance of precise delimitation of duty between governor and intendant. Governor, bishop, and intendant were representative of the three estates in France for the governor was invariably an aristocrat and the intendant a *bourgeois*; the incessant quarrels between them foreshadowed, in miniature, the French Revolution. While divisions between these functionaries perhaps gave to the ordinary man certain irregular liberties which he would not otherwise have enjoyed, the distance from the throne enabled them on occasion to act in a more direct way than might have been normally permitted in France. They sometimes carried direct action to the point of arbitrarily arresting and detaining the king's subjects, without cause shown, a treatment usually reserved in the mother country for great political offenders, under *lettres de cachet*.

The criminal law of the old régime appears to have been a mixture of customary and Roman elements. In Canada, the crown attorney (*procureur du roi*) was the official who initiated prosecutions. Like a commissioner under our Public Inquiries Act, it would seem, he had the right to bring anyone before him for questioning in private. If in this way he accumulated sufficient evidence, he might proceed to a prosecution. Though the prosecution was conducted in public, the crown attorney would hardly be likely to proceed unless he had a very sure case, and in order to make it one, in his private examination, he could go to lengths which shock a modern mind.

The old customary law was bad enough, but all its rigours were incorporated formally in the great Criminal Ordinances of 1670 and 1685, which made escape from conviction, once prosecution had begun, so difficult as to prompt a judge of the time to remark: "Si j'étais accusé d'avoir volé les tours de Notre-Dame, je commencerais par m'enfuir."<sup>7</sup> The code, though not registered by the Sovereign Council, was in force in Canada. It mingled reasonable usage with extreme severity. It established sound rules on the hearing and competence of witnesses, on appeals, and on the maintenance and inspection of prisons. But in the preliminary examinations, the persons examined had no counsel, procedure was secret, and as a means of discovery it was permissible to use torture.

There are too many cases on record to permit us to believe that the severities of this code did not extend to Canada. In so

<sup>7</sup>*Ibid.*, 283.

far as humane conduct goes, there is no point in comparing the seventeenth century with our own. French Canada seems to have been neither more nor less cruel than other countries of the time and I am in no sense attempting to put it in the pillory: I am merely trying to indicate what was the nature of its public institutions. That compels me to observe that in addition to executions with accompaniments of a barbarity that would shock the present generation, there is no doubt that it was legal to employ torture, and at a comparatively late date: "En avril 1734, une noire esclave de madame de Francheville causa un grand incendie, qui dévasta une partie de la ville de Montréal."<sup>8</sup> "Elle fut soumise à la question ordinaire et extraordinaire. On voulait lui faire avouer son crime."<sup>9</sup>

"In 1752, Pierre Beaudoin dit Cumberland, with three others, soldiers in a corps called 'Détachement des Troupes de la Marine,' then in garrison in the town of Three Rivers, were accused of having set fire to the Town, in different places, on the night of the 21st May. The crime of arson was proved by witnesses against Beaudoin, but he was placed on the rack in order to discover whether he had any accomplices. He suffered this punishment without making any declaration, and was finally executed."<sup>10</sup>

I do not know what "la question ordinaire et extraordinaire" amounted to: "la question ordinaire" seems to have been merely the rack! Yet the impression one gets from reading the documents of the French régime is not that of a dark and bloody tyranny, but of a rather kindly, though highly inefficient, paternalism, whose justice was arbitrary but also speedy—and cheap. The point here is not the practice so much as the law: French criminal law, like French public law, was weighted heavily against the individual.

#### THE INSTITUTIONS OF THE PROVINCE OF QUEBEC AFTER THE CONQUEST

The Conquest involved the acceptance in many fields of English law and English public institutions. The English criminal law came in with the Quebec Act, and though it was severe enough, in all conscience, with its scores of capital crimes, it did

<sup>8</sup>*Ibid.*, 294.

<sup>9</sup>J. B. A. Ferland, *Cours d'histoire du Canada* (Quebec, 1882), II, 446 n.

<sup>10</sup>Robert Christie, *A History of the Late Province of Lower Canada* (6 vols., Quebec, 1848), I, 2 n. "The authenticity of the above taken from old manuscript judicial records and papers in possession of G. B. Faribault, Esqr., one of the Vice Presidents of the Literary and Historical Society of Quebec, may be relied upon" (*ibid.*, 12 n.).

give the culprit a fighting chance: I have never heard of objections against the introduction of English criminal law, with its essential attribute of publicity. Habeas corpus and jury trial followed within ten years, and in 1791, parliamentary institutions. Parliamentary institutions were received with considerable enthusiasm, and the educated classes were fully seized of the fact that through them there was being conferred the inestimable gift of freedom.

Although the common law of England with respect to crime was formally introduced in 1774, it seems to have taken a long time before its essential nature became familiar to the French-speaking people of Canada: "Ignorant la langue dans laquelle les précédents qui font le droit commun étaient écrits, éloignés de son étude par son formalisme et la bizarrerie de ses termes techniques, quoique pénétrés de sa grande humanité, ils témoignèrent d'abord une grande indifférence à s'en instruire. La pratique de ce droit était restée presque l'apanage exclusif du barreau anglais. . . . De fait, jusqu'à la décentralisation judiciaire en 1857, le droit criminel était resté à l'état de science mystérieuse pour la race française du Bas-Canada. . . ."<sup>11</sup>

English representative institutions, however, were taken up with alacrity. The classical duels between British governors and the House of Assembly followed as a matter of course. Down to within two or three years of the end of his long struggle with the administration, Papineau fought for constitutional goals and followed methods which no Englishman who had any sympathy for the seventeenth century could reprobate. He fought mainly for complete control of finance by the Assembly, and only in the eighteen-thirties did he move on to Jacksonianism in his advocacy of election for the Legislative Council. How far Papineau was tinged with European liberalism before he went into exile, I do not know. His political tactics suggest that he was little more than a rather extreme Whig. Lafontaine was closer still to the model of English Whiggism. With Cartier, who kept calling himself a Reformer until as late as 1857, the wheel came full circle and the former rebel became a conservative. His ascendancy may be taken as marking the full acceptance by the French of English institutions, but not necessarily the full understanding of them, still less the full appreciation of the spirit which had engendered them.

While the people of New France were yet under French rule they had no guarantees of liberty, but they do not seem to have

<sup>11</sup>Lareau, *Histoire du droit canadien*, I, 310.

regarded themselves as other than free. The strife of governor and intendant went on far above their heads: it provoked no popular alignments and no germ of partyism. Individuals could be, and were, oppressed, but a class, challenged in that perpetual French tender spot, the pocket, seems to have had its own way of resisting. When in 1680 a royal order came out that the colonists should pay each curé annually 574 livres, a sum greater than the amount of the tithe, we are told that "the seigneurs and habitants assembled and declared that they could not give more than the twenty-sixth part of their grain" and that the execution of the law was successfully hindered.<sup>12</sup> Three-quarters of a century later, Bougainville, as his oft-quoted passage indicates, found this same sturdy spirit of independence among the Canadians: "Les simples habitants du Canada seraient scandalisés d'être appelés paysans. En effet, ils sont d'un meilleure étoffe et ont plus d'esprit . . . que ceux de France. Ils ne payent aucun impôt et vivent dans une espèce d'indépendance."<sup>13</sup>

Since the Conquest, this collective attitude has been reinforced, mainly by English pressure. French-speaking Canadians are no more successful today in resisting the tax-gatherer than are the rest of us, but they struggle vigorously for the freedom that is dearest to them, the freedom of their religion and of their language. The individual's rights against the state, something not in their tradition, as yet only imperfectly acquired from the English tradition, and a matter of concern to relatively few individuals, do not, it would seem, excite them.

#### ENGLISH INSTITUTIONS: THEIR GENERAL NATURE

It is exceedingly difficult to characterize English institutions in a word, and for the simple reason that English institutions are English history. If you understand one, you will understand the other, and the spectacle we sometimes see, of political scientists attempting to scale these vast peaks without the full resources of history in their kit, seems foolish indeed. Our own Canadian position is made trebly difficult in that not only are we the heirs of England, but sharers in the spirit of the continent, which has put its mark on institutions as on individuals, and also, as possessors of a written constitution, the subjects of a fundamental

<sup>12</sup>*Ibid.*, 425.

<sup>13</sup>*Ibid.*, 201.

law quite different from anything in all but the last eighty years of our experience.

The French historian Petit-Dutaillis, in his book *The Feudal Monarchy in France and England*, pictures the institutions of the two countries during the century and a half or so after the Norman Conquest, or until about the year 1200, as substantially the same: each was French and feudal. But during the century and a quarter from 1154 to 1272, or from the accession of Henry II to the accession of Edward I, a legal revolution occurred in England, and at the end of another century and a quarter a second great institutional revolution had taken place with the growth of parliament.

I have no space to sketch a comparative history of the two countries here, but I might remark in passing that it was neither defect in the French sense of liberty, nor a racial element, nor the lack of political clear-sightedness on the continent, which made for the divergence. "The Constitution ought to combine a limited and elective monarchy, with an aristocracy of merit, and such an admixture of democracy as shall admit all classes to office, by popular election. No government has a right to levy taxes beyond the limit determined by the people. All political authority is derived from popular suffrage, and all laws must be made by the people or their representatives. . . ."<sup>14</sup>

This is not a statement by some late eighteenth-century theorist but by a man writing about the same time that Simon de Montfort was calling together his experimental parliament (1264). It is true the words are not those of the barbarous northerners, either French or Anglo-French, among whom one may seek in vain for political theory of like clarity, but of a supple Neapolitan cleric, one St. Thomas Aquinas by name; nevertheless such thinking was at the disposal of French monarchs, as of others. Needless to say, it was not accepted. France went off on her road to absolutism, and England on a very different road.

The French sense of liberty was probably just as lively as that across the channel. In fact, then as now, it was probably too lively, and that may be a part of the explanation for French failure to form lasting public institutions of freedom. The solid *bourgeoisie* were no doubt glad to see a curb put at any cost on baronial conceptions of liberty, with their concomitants of brawls, oppression, and private war, even if it involved giving to the crown

<sup>14</sup>Lord Acton, *The History of Freedom* (London, 1922), 36, quoting Thomas Aquinas.



of France extremely wide powers. To a person of English background, French ideas of liberty seem to go rather far in the direction of anarchy. Even here in Canada, the province of Quebec will furnish more candidates at an election than several other provinces combined; in the last provincial election not only did no party receive a majority, but there were relatively few elected candidates who received as many as half the votes cast.

As for an institutional explanation based on race, look at the situation. The English legal revolution involved the substitution of the king's justice for the old folk-right. It involved the writ system, the new legislation included in the assizes, the jury system, and greatest of all, the creation, by the king's new judges, of the common law. It involved also a counter-revolution, symbolized, *inter alia*, by Magna Carta, which forced the crown to moderate its pace and, by bringing it to book, introduced into English life that greatest of all its principles, compromise, the basis of constitutionalism. Who were the men that accomplished this first and greatest of the English revolutions? Without exception, in so far as I know, they were each and every one—Henry II, Glanville, Stephen Langton, Simon de Montfort, Edward I—Frenchmen, and Catholics!

I make this point because there has always been so much nonsense talked about race. Even in this day of royal commissions, it is whispered that of course one of the two judge-inquisitors of our last unfortunate example of commissions would naturally be inclined to arbitrary methods because he was a French Catholic. Let me say, as an antidote, that I have also heard rumours to the effect that it was the English judge who led the attack, so I do not know where the truth lies. That the French, whether in Europe or in Canada, have not managed to build up the same majestic edifice of institutions protecting the citizen against the state as have the English, I think must be admitted, but it seems foolish to explain the lack on the basis of race and religion, and anyone must admit that, when it comes to protecting our tradition of liberty, French-speaking Canadians have shown no monopoly of negligence.

Let us just thank our lucky stars that we reap the harvest sown by those medieval barons, whoever they were, and let it go at that. That harvest is an institutional system which has stood the storms of centuries and will, if we as citizens are moderately faithful to it, stand those of centuries to come. Parliament is "the baby" of the institutional family, and it is seven hundred



years old. Sheer duration is in itself not a bad test of validity, but in this case there are plenty of others. Our institutional heritage is quite unique, so far as I know, and while it does not give perfect liberty—what system ever could?—it enables us, if we wish, to come as close to realizing liberty as any people can. Lord Acton, the greatest champion of liberty that the modern intellectual world has produced, and at one and the same time a great liberal and a great Catholic has said: "Liberty is not a means to a political end. It is itself the highest political end."<sup>15</sup>

### THE COMMON LAW

Various aspects of English medievalism have from time to time been picked out as in themselves the single greatest contribution to liberty. This is probably not sound, for the elements in it run together, but if one had to be selected, the choice might well be the common law. "Old father antique, the law," said Shakespeare, in one of those sayings of his which put him on the side of all the bright young fellows of the time who could not see beyond the ends of their noses and were against all forms of old fogysm. Perhaps he had Coke in mind, with his last-ditch defences of legal formalism. One can take his choice between the two attitudes, between those who wanted to take short cuts and clean up the mess, and the legal antiquaries, to whom no praise for the law just as it stood was too high. "The nursing mother of liberty," Coke termed the common law. High praise indeed. "The common law is common sense," it has been said. "The law of England is the law of liberty," Mansfield was later driven to admit, in the famous case which decided that slavery could not exist upon English soil. The Bacons and Wentworths desired a clean executive sword to reorder England. For such men as these, the Star Chamber, that bright, sharp judicial blade, was an ideal instrument. One of its modern equivalents, has been the judicial machinery of the Canadian income tax administration. For imposing royal or departmental will on the subject, the common law is too slow; it allows of too many escapes. It is not a law for an executive, and that was and remains, its merit.

Nor was it a law for cloistered virtue, for "genteel," "refined" people, or arm-chair exponents of liberty. On the contrary, it was forged out of hard tussles for property rights. In its formative period, one's "liberty" was some right, franchise, or piece of

<sup>15</sup>*Ibid.*, 22.

property that one could seize and hold. It was the common law's virtue that, by generations of interpretation, usually in the direction of safeguarding the property rights which individuals possessed, it wore down "liberties" into what we call "liberty."

The first virtue of the common law is publicity. "It is one of the essential qualities of a court of justice that its proceedings should be public."<sup>16</sup> "The settled judgment of our ancestors and ourselves is that publicity in the administration of the law is on the whole . . . worth more to society than it costs."<sup>17</sup> From this point of view, our recent espionage investigation at once takes on a sinister light. It flies in the face of centuries of experience in resorting to a type of procedure—secret investigation—that the wisdom of our ancestors has many times condemned. For the second great virtue of the common law is that it has at all times set its face against inquisitorial procedure. When Henry II began to use the jury as part of his new machinery of justice, he had in his hands the most powerful of all royal instruments of absolutism, an inquisition, a fact-gathering body without let or hindrance. His ancestor, William the Conqueror, had used it to his own great advantage in the Domesday inquest, a job of financial detective work that could hardly be surpassed, in its prying skill, by our own commissioner of income tax. By lucky accident, Henry did not press the advantages that the jury would have given him, and it settled down into, first a device of ordinary trial, a substitute for the primitiveness of folk-right, and then, after some centuries, into the "palladium of English liberty," which to some degree, it still remains.

In the Roman law countries, on the other hand, inquisitorial procedure became customary; from it flow consequences that take on dark colours in English eyes: secret examination, lack of counsel for the examined, no confrontation of witnesses in open court, devices for securing a man's testimony against himself, and lastly, at the end of the court's resources in compelling testimony, torture. In the espionage commission Roman law criminal procedure has lately had an exemplification in this country of which few of us, it is to be hoped, would welcome a second example. In contradiction to this, the very life of the common law, as Sir Frederick Pollock says, is open discussion and unfettered criticism.

<sup>16</sup>*Daubney v. Cooper*, 1829, quoted in Sir F. Pollock, *The Expansion of the Common Law* (London, 1904), 31.

<sup>17</sup>*Ibid.*, quoting Justice Holmes, 32.

Freedom is its sister and in the spirit of freedom its greatest work has ever been done.<sup>18</sup>

The common law never felt obliged to go farther than to set up a referee to a dispute: before him, the king's judge, the parties fought out their cases. He was under no necessity of exploring the case to its limits: his job was to come to a reasonably quick, if approximate, decision on the materials put before him. It was easy, in criminal law, to draw the king in, "not as the supreme head of national justice exhibiting and punishing the crimes which his officers had discovered,"<sup>19</sup> but as a party, along with other parties, bound to make his cause good. The rule that the burden of proof is on the plaintiff was therefore easy to carry over from the civil to the criminal law: hence our rule that a man must be presumed innocent until he is proved guilty.<sup>20</sup>

The common law was essentially the king's law; hence the law of the land. There was no room for a custom of Paris in England: what elements of local custom survived the legal revolution soon atrophied. Since the king himself, the fountain of justice, was present in all his courts, there could be no question of certain privileged persons claiming immunity. "Who should judge the king's servants if not the king's own judges?"<sup>21</sup> In this way, the special character of officials, which virtually everywhere under Roman law puts them beyond the reach of the ordinary courts for acts in their official capacity, does not exist under the common law. Every official, from the prime minister to the policeman, who exceeds the strict letter of his authority under the law, may be sued by the private citizen.

From this exceedingly important principle there follows the logical deduction that under English law, there can be no "acts of state." "The French Government does, in fact exercise . . . a wide discretionary authority which is not under the control of any Court whatsoever. For an act of State, the Executive or its servants cannot be made amenable to the jurisdiction of any tribunal. . . ."<sup>22</sup> "An act of state" (*acte de gouvernement*) cannot be precisely defined, but, according to Dicey, the tendency of French legal thinking in his day had been to narrow the term. It is possible that the events of two wars, with their necessity for

<sup>18</sup>*The Genius of the Common Law* (New York, 1912), 124.

<sup>19</sup>Pollock, *The Expansion of the Common Law*, 42.

<sup>20</sup>*Ibid.*

<sup>21</sup>*Ibid.*, 51.

<sup>22</sup>A. V. Dicey, *Introduction to the Study of the Law of the Constitution* (London, 1908), 386.

action, have widened it. Never at any time in our history, until the recent wars, so far as the present writer knows, has the conception of "the act of state" been formally recognized under English law.<sup>23</sup> But during the war just over, it made its entrance, naked and unashamed, into Canadian executive thought, this under the guise of "safety of the state." Who, under our Defence of Canada Regulations, was normally the judge of the "safety of the state"? The minister of justice: which term, no doubt, in practice meant subordinate officials in diminishing importance down to the constable of the R.C.M.P. Is there any darker door than that opened by the present government of Canada in admitting into our life "the safety of the state," with its concomitants, "reasons of state," "acts of state," as carrying their own justification, beyond the reach of the law of the land?

#### THE STRUGGLE BETWEEN THE COMMON LAW AND "REGIMENTATION"

Not only the common law but all English institutions of government had to fight for their existence during the two centuries of disorder and reaction, running from Henry VI to Charles I. The disorder of the Wars of the Roses—the kind of disorder that was the rule rather than the exception in France—was inevitably followed by the restoral of order with a strong hand, which took the form of stress on the residuary, or prerogative, powers of the crown, that well of jurisdiction which could have swallowed up all liberty, just as the regalian rights of the kings of France swallowed up liberty. Such stress produced Courts of Star Chamber and it produced the insidious suggestion of Francis Bacon to King James I, that by proceeding under the writ *de non procedendo rege inconsulto* it would be possible to prevent the judges from proceeding with any case in which the interests of the crown were concerned.

<sup>23</sup>It may of course be argued that the king's prerogative will stretch over unlimited distances and that it can be used by the executive to perform actions for which there is no direct legal authority. This was the Royalist argument in the seventeenth century. Charles I's prerogative was curtailed effectively on the scaffold. It may further be argued that at times since then ministers have had to act actually in contravention of the laws, receiving afterward a vote from Parliament of an act of indemnity. Lord John Russell so acted contrary to the Bank Act in 1846. The point is that the knowledge that they are exceeding their powers necessarily limits ministers in the excess. An act of state, on the other hand, seems to carry its own justification. The difference between this French "act of state" and the old Royalist conception of the prerogative seems small. Under our system, the War Measures Act gives a blank cheque to Council, which it can fill in at its own discretion and in its own terms. It gives Council a wider prerogative than any English king ever dreamed of; under it, the old Royal attempt at autocracy has been replaced by cabinet achievement of autocracy.

"The writ," said Bacon, "is a mean provided by the ancient law of England to bring any case that may concern your Majesty in profit or power from the ordinary Benches, to be tried and judged before the Chancellor of England, by the ordinary and legal part of this power. And your Majesty knoweth your Chancellor is ever a principal counsellor and instrument of monarchy, of immediate dependence on the King; and therefore like to be a safe and tender guardian of the regal rights."<sup>24</sup>

Bacon may have found his excuse in the obscurantism of common-law judges like Coke, but there is a fairly strong case against him. He was one of those over-clever persons—Wentworth, Lord Strafford, was another—who get impatient with the slow blunderings of ordinary men, and strive for short cuts to efficiency. Our present civil service is probably full of them—men who know so much about their business (which is also ours) that you or I, as plain citizens, can never cope with them—and who, honestly anxious to do a good job, press for the powers which will enable them to do it, but the net result of whose efforts is to bind us until the area of free movement left to us is small indeed—the eternal type of bureaucrat.

The conflict between liberty and order is never-ending, and humanity oscillates between the two. Left to himself, the average man might show small concern for the common good, and anarchy would ensue. But it is equally true that, left to himself, the governor, be he civil servant, minister, or prince, would show small concern for the freedom of the average man, and despotism would ensue. Has the person in authority ever been known who did not wish to add to his powers? Few of our public men in Canada aspire to a dictatorial position. But some of them obviously welcome the indefinite extension of their powers. They have concrete situations to meet and they want to meet them as effectively and as quickly as possible; everyone prefers a smooth eight-cylinder car to the Model-T of sacred memory. So on every hand today, the executive is busily extending its powers, arguing vigorously against any abatement of them, seeking to prove that without them, the emergencies which it is sure are just round the corner never could be met. In Canada, our original War Measures Act of 1914 is still on the books; whenever the government of the day (not the Parliament) decides that the emergency is great enough, it can be put into force again, and away go practically all

<sup>24</sup>Dicey, *Introduction to the Law of the Constitution*, 368, quoting E. A. Abbott, *Francis Bacon*, (London, 1885), 234.

our cherished institutions of freedom. It is the equivalent of the "state of siege" familiar in the constitutions of many Latin American countries not usually considered as advanced as our own. Those who are interested may turn to the debate of May, 1947, in the Canadian Commons, where, more especially in the speeches of Mr. J. G. Diefenbaker and the Honourable J. L. Ilsley,<sup>25</sup> they will see the two attitudes sharply differentiated. Mr. Diefenbaker spoke in terms of the Pym or the Hampdens, but the Minister echoed the sentiments of the Wentworths, the practical, realistic administrators who ask for the sharp tools which will enable them to do their job. Efficient administration—"the safety of the state"—driven to an extreme, would mean a smooth-running machine of a state, a slave state. Democracy is not compatible with too much order and safety. For the sake of democracy, democrats must take risks, even in the presence of their enemies. It is those who desire excessive powers for "preserving the safety of the state" who are themselves invariably among the greatest dangers to that safety.

In the seventeenth century the plain citizen broke the bonds that such men would have put about him and regained some of his freedom. The rebellion against Charles Stuart was as much a rebellion against the attempt to establish a strong administrative system of the continental type as it was an affair of religion or of economic classes.<sup>26</sup> It was thus distinctly not a movement towards something, but away from something, not forward but backward, back to the old conceptions of administration and common-law methods, against the new bureaucratic efficiency of Stuart advisers (and the nagging of Stuart French wives who expected English kings to cut as great figures as French royal fathers). It is no accident that the revolt against the Stuarts brought a deluge of appeals to past usage, especially medieval usage, for it was essentially a return to the past. The seventeenth century cried out to the thirteenth and both, with their dislike of coercion, of the neatly-ordered, efficient state, stretch out their hands to the nineteenth. Is there much difference between the armoured baron, ever on the fighting point for his "liberties," the seventeenth-century Puritan squire or merchant, determined that the king would not take his property or religion away from him, and the nineteenth-century business man, with his slogan that every pot should stand on its own bottom?

<sup>25</sup>Hansard, May 16, 1947, 3184; May 19, 1947, 3262.

<sup>26</sup>Dicey, *Introduction to the Law of the Constitution*, 365.



When they confront us, these exhibitions of rugged individualism are not pleasant, for they are selfish and ruthless, but it is through such determined selfishness that our liberties have been mainly secured. Our problem today is to find some bridge between this hard-fisted insistence on personal rights and the wider rights of men as a whole. Bridging the chasm between individualism and collectivism is like squaring the circle. The last Tudor and the first two Stuarts tackled the problem but it proved too much for them, and they have stood under the accusation ever since of conspiring to take away men's liberties. Today we face the task again.

#### LATER ENGLISH CONTRIBUTIONS TO A JUST SOCIETY

But we are also children of the nineteenth and twentieth centuries, and many other strains have come into our institutional life since those old seventeenth-century days. We have to canvass the bearing on our theme of the American wilderness, and of the new doctrinal aspects of life that came directly or indirectly out of the Reformation. This cannot be done here. Suffice it to say, as to the new world, that it represented the freedom of medievalism over again; anyone who has read Haskin's account of the way in which the Norman ancestor of the kings of Sicily rose to success will have no difficulty in understanding how the Vanderbilts and the Goulds of the last century built their industrial empires. For the less powerful man, who nevertheless had a strong right arm, the new world represented the freedom of space, space where he could carve a home for himself out of the unbroken wilderness, a spot where other people would not be constantly under his feet. The new world carried freedom far beyond that of medievalism, for its remoteness and space represented freedom—at least relative freedom—from interference of every type, including interference with one's religion or lack of religion.

To the English, the new world represented, above all, freedom, and they brought out with them the institutions by which they were able to maintain that freedom. To the French and the Spanish, it represented some considerable degree of freedom too, but neither people had the institutional framework for their freedom which the English possessed, and the Spaniards, who have never received it, as a result have lost much of the freedom that they once may have had.

Doctrinally, the Reformation also meant freedom, the freedom

of religious competition, comparable to the freedom of economic competition. The strands of this freedom are complex; one may be picked out, to point up what goes before.

In the eighteenth century, reaching down to a class which the older Puritanism did not touch, there arose a new variant of Protestantism, that which gave rise to Methodism and the evangelical wing of the Church of England. From the first it had qualities in which the older creeds were weak, altruistic qualities as opposed to their absorption in themselves. Its social gospel was strong, and to it we owe a huge programme of domestic reform in England, as well as movements on behalf of the peoples throughout the world unfortunate enough not to have white skins; the humanitarian movement succeeded in getting slavery abolished, and it still, in various forms, exerts a most powerful influence upon British officials in dependent countries. To it, the Protestant people of this country have fully contributed. It opens the way for a new kind of thinking about liberty; it goes back not so much to the hard-boiled bishops of the Middle Ages who always saw to it that every re-issue of the Great Charter should begin with the words: *quod ecclesia anglicana libera sit*, as to gentle medieval saints, like St. Francis of Assisi. The liberty it would have us keep in mind is not so much our own as that of others. In short, with the great Protestant revivals of the eighteenth and early nineteenth centuries, we get, amid much dross and much sheer stupidity, a return to something like the spirit which inspired the Christian gospels.

The great truths by which men live have rolled over humanity for many centuries: they all echo the same spirit, the spirit of justice and fairness. The prophet Micah, long ago put the question: "and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?" The Stoics put the same ideas in terms almost as penetrating as those of the New Testament itself: "We must treat others as we wish to be treated by them, and must persist until death in doing good to our enemies, regardless of unworthiness and ingratitude."<sup>27</sup> Nowhere, of course, does this fundamental ethic get the same eloquent and satisfactory statement as it does in the New Testament: in fact, it is the New Testament.

Now, it is not suggested that the hard assertions of property

<sup>27</sup>Acton, *History of Freedom*, 24, 25. Those who heard the Rector of Laval speak to the Canadian Historical Association and the Canadian Political Science Association in their annual meeting at Quebec, 1947, heard an enunciation in precisely the same spirit.



rights under which English institutions were hammered out were much affected by the gentle teachings of the Gospel, but merely that behind them—often a long way behind them—there *have* lurked certain conceptions of justice. And, further, that within the last two centuries, the direct relationship of this Christian ethic to public action has become increasingly closer. The "love thy neighbour as thyself" view of society was influential throughout the English world all during the nineteenth century, and although it has now in considerable part, passed from its direct association with formal religion, it is the basis of the striving for a better society which is so marked an aspect of our own age. It is, indeed, probably the basis of the collectivism of the English-speaking world, but that is another story.

Are Christian conceptions of justice going to be able to do what Baconian conceptions of efficiency failed to do? Are they going to be able to square the circle of liberty and order? No one can tell. They keep on sapping away at injustice, as economic injustice, but will they bring about the just society? That is too much to expect. Men are not able to create just societies, though they may approximate to them. In attempting to create just societies will they destroy liberty? Is there an antithesis, then, between justice and liberty? No, but there may be a strong antithesis between *my* liberty and *your* justice.

It takes all sorts to make a world. It takes all sorts of people to make a free world. Mere niceness will not do it. We owe a great deal to the nasty people, to the men who were not afraid to be obnoxious and unpopular, and often to the scatter-brained who, having got out on limbs, refused to come in from them, to the Wilkes's, the Mackenzies, and the Stubbs's. We owe a great deal to the giants—to the Miltons and the Burkes. We owe a great deal to the saints, among whom may be included the late J. S. Woodsworth. We owe almost as much to the lawyers. We owe a great deal to the philosophers: to such as Aquinas with his definition of the law of nature as the voice of universal reason—or Grotius, with the saying that is tantamount to it, though perhaps more brutal: "The principles of law must stand even if we suppose that there is no God."<sup>28</sup> We owe a great deal to the dissentient Protestant sects, objectionable though some of them may make themselves.<sup>29</sup> Most of all we owe to the long

<sup>28</sup>Acton, *History of Freedom*, 46.

<sup>29</sup>Lord Acton, *Lectures on Modern History* (London, 1930); *The Study of History* (London, 1895), 10, says "Progress towards organized and secured freedom, based on Protestant sectarianism, is the characteristic fact of modern history."

generations of men who each in their own way have built up our institutional heritage. Let not those who seek to establish the reign of justice begin by destroying the excellent ladder to her abode which has been built for us. And let not those who temporarily are in charge of the destinies of our state forget the many men before them who, either through malevolence, or shortsightedness, or because they wished to take short-cuts to their desires, or to constrain other men to their wills, or because they were ignorant and led the people into the wilderness, or because they interpreted the vociferous demands of the few as the urgent and permanent welfare of the many, or because they deemed force a good answer to argument, let them not forget the many men before them who for these reasons have gone down to obscurity or to shame.

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## THE UNWANTED POST

**F**EW will care enough to shed tears over an unwanted fur-trade post; yet there is something pathetic about the chequered career of a tiny establishment, tucked away in a remote corner of the, even now, almost unknown Kingdom of the Saguenay, which ought to evoke a little sympathy in the hardest of hearts. For two hundred years the little post was loathed and detested by all who had anything to do with it—Indians, traders, voyageurs, and even poachers. All did their level best to close it. Now and again they succeeded, but it always reasserted itself and had to be re-opened. It was not until the nineteen-thirties that it disappeared for what was, apparently, the last time. Yet one cannot be sure; it may rise again.

Nikabau, Ashuapmouchouan, or Moar's Post, as it has been known, was established during the early days of the French régime in Canada. It was located on the south shore of Lake Nikabau, to the northwest of Lake St. John, Quebec, close to the height of land which separates the watershed of the Saguenay River from that of the St. Maurice.<sup>1</sup> Its founder, Nicolas Peltier, a native-born Canadian of French parentage,<sup>2</sup> and one of the first free traders to follow in the footsteps of Pierre Esprit Radisson and Médard Chouart des Groseilliers, first came into the Saguenay in 1672 under a *congé*, or permit, from the Governor, de Frontenac.<sup>3</sup>

At that period, and down to about the middle of the last century, when the country was thrown open to colonization, all the territory drained by the waters falling into the St. Lawrence, along the north shore from the Saguenay in the west to Cape Cormorant in the east, was reserved exclusively to the fur trade and known generally as "La Traite de Tadoussac," the "King's Domain," or the "King's Posts."<sup>4</sup> The trading rights were farmed out by the Crown to individual merchants and companies who, in turn, often

<sup>1</sup>Public Archives of Canada, 37 Dépôt Fortifons, cart. 3, pièce 297, "Journal du Voyage que Joseph Laurent Normandin a fait dans le domaine du Roi en Canada depuis le poste de Chicoutimi jusqu'aux Limites de la hauteur des terres en 1732," 174.

<sup>2</sup>According to Tanguay (*Dictionnaire Généalogique des Familles Canadiennes*, Quebec, 1871, I, 470) he was the son of Nicolas Peltier and Jeanne Roussy, who arrived in Canada before 1637. He was baptized at Sillery on May 2, 1649.

<sup>3</sup>P.A.C., Archives des Colonies, C11A 121-2, "Mémoire Important sur la Traite de Tadoussac pour faire Connoistre ce que c'est que cette Traite, ce qu'ont fait pour La Destruire et les moyens necessaires pour la conserver au Domaine Du Roy."

<sup>4</sup>P.A.C., Archives des Colonies, C11A 59-2, "Mémoire sur toutes les parties de la régie du Domaine d'Occident en Canada," 484-5. The western boundary of the Domain varied slightly and at one time included the Seigneurie de Malbaie, but Tadoussac was the most westerly trading post in the Domain.

sublet them to others.<sup>5</sup> This system was continued after the cession of Canada to the British Crown, the last farmer of the King's Posts being the Hudson's Bay Company which surrendered its lease in 1859, though it still continues to operate most of the former King's Posts on a basis of free competition.<sup>6</sup>

Though the trade of the King's Posts was reserved to the lessee, to the exclusion of all others, the boundaries were not exactly defined and were often disputed. Free traders gave a great deal of trouble,<sup>7</sup> entering the domain by one or other of its back doors to trade with Indians who had been outfitted at the King's Posts for, unlike the Hudson's Bay Company which seems to have sought, wherever possible, to trade on a strict barter basis,<sup>8</sup> the French were quick to realize that an Indian could not hunt fur if all his time were occupied in seeking food. They introduced the practice of fall "advances" which is still the basis of the Canadian fur trade.

Nicolas Peltier, though he had been expelled from the Domain soon after his initial visit, and had had his *cong * withdrawn, appears to have come to an understanding with the lessees, for he returned to the region and remained there until his death.<sup>9</sup> His establishment soon was recognized as a King's Post. The exact date of the foundation of the post is not known. Voorhis would seem to put it at 1690,<sup>10</sup> but it was certainly in existence before 1685,<sup>11</sup> and Peltier's presence in the Saguenay was continuous from 1676.<sup>12</sup> In any event, a chapel was built at Nikabau in 1686<sup>13</sup> which

<sup>5</sup>P.A.C., S Series, vol. 719 (old numbering), "King's Posts from 20th. of Sept. 1762 to 9th. of Sept. 1786," 21; also P.A.C., C11A 59-2, 489 *et passim*.

<sup>6</sup>*Ibid.*, 5 *et passim*.

<sup>7</sup>P.A.C., C11A 59-2, 487 *et seq.*

<sup>8</sup>In respect to the trading policy of the Hudson's Bay Company see the testimony of Joseph Laurent Normandin quoted in the article. The English company apparently did issue credit at some points. C. P. Wilson, *Hudson's Bay Company, Winnipeg*, has called our attention to an entry in the Albany Journal of 1713 which states that "One Cannowe Came from ye Northard for trust which was Granted." The Churchill Journal of 1719 and the Moose Factory Journal of 1749 also mention credit being given to the Indians.

<sup>9</sup>La Soci t  Historique du Saguenay, *L'Histoire du Saguenay* (Chicoutimi, 1938), I, 108-9.

<sup>10</sup>Ernest Voorhis, *Historic Forts and Trading Posts of the French Regime and of the English Fur Trading Companies* (Ottawa, 1930). He indicates that Nikabau was built before 1700 (p. 126) and that Ashuapmouchouan was founded in 1690 (p. 32).

<sup>11</sup>Archives de l'Arch v ch  de Qu bec, "Deuxi me Registre de Tadoussac," shows that Father Fran ois de Crespieu baptiz  a number of infants at Nikabau on September 20, 1686. Nicolas Peltier was sponsor. The missionary also notes that, in 1685, Peltier himself had baptized a child who had died shortly after birth. The same register shows that Father Antoine Dalmas was at Nikabau in 1684: "Le R. P. Dalmas avec Jacques L'estourneau Nicolas Peltier (and two Indians)   Nek8bau."

<sup>12</sup>*L'Histoire du Saguenay*, 110.

<sup>13</sup>*Ibid.*, 97.

would indicate that it was already a flourishing post, with a goodly number of summering Indians. Peltier chose his site well. Lake Nikabau is strategically situated and was ideal for his purpose. Not only was it the summer fishing point for about thirty-five families who hunted in the neighbourhood<sup>14</sup> and whose furs could be counted upon for the post's staple trade, but it was very close to the western limits of the King's Domain, on the route used by the northern hunters to reach not only Lake St. John, but also Trois Rivières. A comparatively short portage linked it with the country of the Tête-de-Boule Indians who, as yet, had no post and wanted nothing better than to avoid the long trip to Trois Rivières.

Nevertheless, there were disadvantages which were not tardy in making themselves felt, and which appear to have proved overwhelming after the death of Peltier. The local Indians were impossible characters, quite unlike the docile Montagnais of Lake St. John, or the gentle Mistassini, and one of the Jesuit missionaries described them as an "obdurate people and of the fugitive race of Cain."<sup>15</sup> Many years later James McKenzie, the Nor' Wester, could find nothing better to say about them than that "The Indians of this post consist of a dozen lazy families."<sup>16</sup> Throughout their history no one had a good word for them and even today their descendants are execrated by every trader in the region.

But this was not all. The canoe route from Lake St. John to Nikabau led up the Ashuapmouchouan River which is little better than a series of cascades tumbling down from the hills. In a country renowned for difficult water, the Ashuapmouchouan is unique, and it is significant that such excellent canoemen and packers as the Montagnais, when proceeding into the Mistassini country with their own supplies, preferred, when possible, to take the round-about route *via* the Peribonka River and the Temiscamie portages rather than face the falls and rapids of the Ashuapmouchouan. For the most part, they used this river only when coming downstream in the spring, or when proceeding north with a light canoe.

V. Tremblay, *L'Évangélisation du Saguenay par les Jésuites* (Chicoutimi, 1946), 11. We have been unable to verify from an original document that a chapel actually was built but a note in the "Deuxième Registre" would appear to suggest it. Writing of Nikabau in 1686 Father de Crespieu stated that "nova hac(!) missio Sti Antonii" had received the approbation of the Superior of the Jesuits in Canada.

<sup>14</sup>P.A.C., C11A 59-2, 575.

<sup>15</sup>Arthur E. Jones (ed.), *Rélation inédite du R. P. Pierre Laure, S.J., 1720 à 1730* (Montreal, 1889). This relation also appears in the Thwaites *Jesuit Relations*.

<sup>16</sup>James McKenzie, "The King's Posts and Journal of a Canoe Jaunt through the King's Domain, 1808" (in L. R. Masson, *Les Bourgeois de la Compagnie du Nord Ouest*, 2 vols., Quebec, 1889-90).

Freighting post supplies, however, was a different matter and the outfits for Nikabau Post were most unpopular with Indians and voyageurs alike. Costs were extremely high, for only three-and-a-half-place canoes could be used, yet each required two men. Eight were needed to outfit the post every summer.<sup>17</sup>

Game was never very plentiful around Nikabau and the staff of the post was obliged to subsist on partridges and hares in the winter, and fish in summer, which did not tend to make it a popular spot. In fact it soon became known throughout the country as a starvation post. It was extremely difficult to staff and only at the price of high wages.<sup>18</sup> At a time when beaver and marten, the chief returns of the post, were traded on the basis of one "made beaver" each, the equivalent of a French livre, the cost of operating Nikabau Post, excluding rations of staff and voyageurs, was over 2,200 livres.<sup>19</sup> Considering that, in the best year for which the figures are known, the entire King's Domain produced furs to a value of 55,326 livres, Nikabau must have been indeed a very expensive post.<sup>20</sup>

Nor was competition absent. The traders of Trois Rivières soon realized that they could reach the Nikabau region in the spring about three weeks earlier than was possible from the Saguenay, because the long lingering ice on Lake St. John barred the eastern waterways. They were able to carry goods to the borders of the King's Domain and reap a rich harvest of furs before the post outfits arrived. In addition, they were not burdened with the necessity of collecting "debt" and could resort to tricks and manoeuvres which were denied the legitimate traders of the post. Amongst these were the use of liquor and the despatch of Abenaki poachers

<sup>17</sup>P.A.C., C11A 59-2, 542.

<sup>18</sup>*Ibid.*, 539-42.

<sup>19</sup>*Ibid.*, 604.

"Pour Nekoubau

Un Commis aux gages de

700 ll

Jean Baptiste Dorval des Groseliers

bon sujet et propre pour ce poste

Deux Engagés aux gages de 200 ll

chacun, faisant

400 ll

Jean Bouchard et Jean Perron tout deux sortys

de cette année et à remplacer parce qu'ils

n'ont pas voulu rester aux mêmes gages."

*Ibid.*, 541-2.

"ces hivernements [Nikabau and Mistassini] coutent beaucoup de frais, on ne peut avoir des Commis et Engagés qu'à gros gages, il faut monter huit canots de trois places et demy dans chacun des deux postes. ... Chaque canot monté de deux hommes coute quatre vingt castors pour le canot et trente pour chaque homme sans compter les vivres."

Hence the total cost of operating Nikabau was 2,220 livres per annum.

<sup>20</sup>*Ibid.*, 618. The year was 1729.

into the Domain to trap on the hunting territories of the native Montagnais.<sup>21</sup>

Whether all these difficulties caused the lessees of the Domain to abandon the post, or whether the place was neglected after the withdrawal of Nicolas Peltier, about 1700, is not clear, but henceforth and for a matter of twenty-five years or so, no wintering post was maintained in the neighbourhood. Instead the lessees were content to send out camp-trade parties to gather what they could and with little regard to the well-being of the Indians or the future of the posts. Riverin and Guillemin, who were Sub-Farmers from 1710 to 1719, were particularly vicious. These merchants stripped the entire country of fur. Taking a leaf from the book of the free traders, they imported Abenaki and Micmac hunters who exterminated the fur-bearers and even the big game. Liquor flowed like water. Nikabau was not the only post to suffer, for almost all the King's Posts were closed down and replaced by camp traders who appeared in the spring, picked up what furs were to be found, and then withdrew, leaving the Indians to fend for themselves until the following year. The result of this shortsighted policy was starvation and the complete demoralization of the natives.<sup>22</sup>

Finally, no one could be found to accept the sub-lease of the posts and the Farmer, La Compagnie de l'Occident, had to take over the administration of the domain and attempt to whip it back into shape. The recovery was slow, and retarded to some extent by an epidemic of the plague which swept the already diminished population, and several years elapsed before Nikabau could be re-opened. The Sieur Cugnet, agent of the Farmers, was well aware of the necessity of re-establishing a permanent post in the Nikabau region and estimated that, though this scarcely could be expected to prove profitable of itself, it would be a useful barrier against the free traders from Trois Rivières. It was claimed that merely by maintaining posts at Nikabau and Mistassini, some miles to the north, the returns of the chief post at Chicoutimi would be increased by 50 per cent.<sup>23</sup>

At length an excellent trader, Jean Baptiste Dorval des Groseilliers, worthy grandson of Médard Chouart des Groseilliers, was instructed to re-establish the post of Nikabau whilst his brother, Joseph Dorval, another famous voyageur, re-opened the neighbouring post at Mistassini. Des Groseilliers did not return

<sup>21</sup>*Ibid.*, 487 *et passim*.

<sup>22</sup>*Ibid.*, 531 *et passim*.

<sup>23</sup>*Ibid.*, 517 *et seq.*



to the site of the Peltier post. Instead, he chose a place a little further south, on Lake Ashuapmouchouan, better suited to the requirements of the lessees, who were not permitted to trade with Indians from outside the domain, and whose main purpose was to combat the free traders. The new post, which was known henceforth as Ashuapmouchouan instead of Nikabau, was so located as to command the portages from the St. Maurice. In order to offset the advantages which the earlier opening of navigation on their river gave the interlopers, fall outfits were sent up to be held at the posts all winter in readiness for the spring trade. The usual summer outfit furnished the fall advances of the Indians.<sup>24</sup>

Some idea of the post and of the difficulties with which des Groseilliers had to contend may be gleaned from the following extract from the Journal of Joseph Laurent Normandin, who visited the post in 1732.<sup>25</sup>

This establishment [he wrote], consists of the following: A house situated about one and a half *arpents*<sup>26</sup> from the lake shore, built of upright poles and covered with spruce bark. The upper floor is of double poles. The lower floor is of birch planking. One room, eleven feet long, by eleven feet wide, and six feet high. Over this room is a small garret, which is three feet high. It is rafted, and roofed with spruce bark. In the said room there are a door and a window on the west side. The window is two feet wide, by two feet high, and the door is two and a half feet wide. At the south end of the house there is a chimney, nine feet high and plastered with sandy earth. West of this house is a store, also of upright poles, which is fifteen feet long, by twelve feet wide. The said store is furnished with shelves of birch planks and bark to prevent dust falling on the merchandise. A counter two feet wide, three and a half feet high, and the door to prevent the Indians from having access to the place where the merchandise is kept. The planking is of round poles, laid double, and chinked with moss. A garret of the same kind as that of the house and also roofed with spruce bark.<sup>27</sup>

The spot wherein are situated the house and store is cleared for about an *arpent* below the house and round about. It was the Sieurs Desgroseliers and Amelin who made this clearing and this house and store, a year ago. . . .

We slept at this post and having asked the Sieur Desgroseliers, clerk of the said post, how many Indians were faithful to the post, he could not tell me exactly for, since these people live in the neighbourhood of the height of land, they go

<sup>24</sup>*Ibid.*, 539 *et seq.* The two Dorvals were the sons of Jean Bouchard dit Dorval by his second wife, Marie Antoinette, who was the daughter of Médart Chouart des Groseilliers and Marguerite Hayet-Radisson. *Vide.* Tanguay, *Dictionnaire Généalogique*, 70 and 129.

<sup>25</sup>"Journal du Voyage que Joseph Laurent Normandin a fait en Canada," 67-70, 102-4. Our translation.

<sup>26</sup>*Arpent*: an ancient French land measure of varying length. In Canada it was 180 French feet (approximately 192 English feet) and is still widely used throughout the Province of Quebec.

<sup>27</sup>This is the "pieux en terre" type of construction mentioned by Marius Barbeau in "The House that Mac Built" (*The Beaver*, Dec., 1945, 10).

sometimes to Trois Rivières and sometimes come to Chomontch8ane.<sup>28</sup> The most trustworthy Indians are those from around lake Nicopao, the Tak8amis, who unfortunately are not numerous, for the Sieur Desgroseliers told me that he had only seventeen Indians at his post this spring.

This post would be very important were the operating costs not so exorbitant, for a canoe cannot be sent down to Checoutimy for less than 40 Beaver, and these canoes being small consequently bring very little either of merchandise, victuals or ammunition, and most of the time these Indians, by leaving during their trips, occasion double costs which considerably reduce the profits which could be made were the overhead only reasonably high.

What makes these Indians, or most of them, go down to Trois Rivières and other places detrimental to the King's Domain, is that often these people have debts at the post of Checoutimy and that of Chomontch8ane. Instead of taking their peltries to the said posts to pay their debts and, as they put it, "break their writing," they take them to those prejudicial places where, after trading their peltries, the French at such places give them credit, and when they have had a lot of credit for a number of times at those places, they return no more and come back insolvent to their first and legitimate post, with many promises that they will not go back again, and protesting that they were led astray by other Indians from those detrimental places. But all this is intended only to deceive the clerk, who has heard it so often that he gives them credit only after they have traded their peltries, and the advances do not exceed sixty or seventy beaver to enable them to hunt during the winter and clear their old accounts, without running them into a lot of debt and risk having them abandon the post entirely. At least by not giving them too much credit it may be hoped that, with economy, they will be able to pay off their old debts. For the real way to attract the Indians, and retain them at a post, is to give them no more credit than you know they can pay in the following year, because with these people old debts are seldom paid. . . .

The Indians of this post are not numerous, but the few there are are very good hunters, and would make a considerable profit if they were not led astray by the Indians from Trois Rivières and thereabouts. It is not liquor which attracts these people, for very few drink, and one might even say that, in this respect, they are not Indians. It is rather certain articles of trade which they obtain somewhat cheaper than at this post, and certain gifts which are given them by the French who, when they trade the furs of these Indians, never charge them for vermillion, pipes, gun-worms and other things of little consequence, and of course the clerk of this post of Chomontch8ane cannot do likewise. And these people who, with all due respect, are worse than animals, do not realize that these Frenchmen to whom they trade their peltries give them goods, such as bonnets, capots, *mitashes*,<sup>29</sup> etc., which are worth less than half those obtainable at this post. I can speak with knowledge for I have seen the goods which they bring back from those detrimental points. As far as firearms are concerned, they get them very cheaply from the English and they are excellent guns. But they pay on the spot for what they get from the English, for they will not give them credit.<sup>30</sup>

However, as I have already said before, in order not to offend an Indian, and keep him attached to a post, one must not give him any more debt than he can

<sup>28</sup>The symbol "8" was used to express a sound in Indian which is about midway between the French "u" and the English "u." In modern spelling it is usually replaced by "ou" in French and "w" in English.

<sup>29</sup>Mitashes: long leggings or gaiters often reaching to the thigh. Modern Montagnais word for "stockings."

<sup>30</sup>Cf. note 8 *supra*.

pay in the following year, for when they get all that is needful for a winter's hunt there would have to be no animals at all (in the country) for them not to pay their debts in the spring. And if they are given all they ask there would not be any post sufficiently well stocked to satisfy them and, withal, they would not hunt a whit better than if they got only what is needful. All this is quite true, for there are many Indians from the posts of the Domain who have withdrawn to the country around Trois Rivières because they had received too much credit, and as for those who are now at the posts, when old debts are mentioned to them, they protest that they are too ancient and ought not to be considered any longer.

The Chief of these Indians is called 8ap8s8iane, that is Rabbit Skin. This man is feared on account of his sorcery, and when he speaks he is heeded. This chief is not favourably disposed towards the French of this post, and seeks to lead the Indians astray and send them to trade at Trois Rivières. All this is to show that he is free to send his young men whither he pleases, without consideration of whether or not they pay their debts. Often enough, when he sends some of his Indians down to the post of Chécoutimy with returns, this ill-disposed chief makes them quit by indicating to them to just what point he wishes them to go, which causes a great deal of harm to this post, for almost a third of the freighting is done at double rates. It can be said with truth that it is this Indian alone who has caused the malice at the inland posts, for the underlings are docile enough folk provided one knows how to handle them.

On my instructions he asked these Indians what simples they used when they were ill. They answered that they knew almost none at all; that the inner bark (obelle) of the spruce was boiled and used for different things such as, for example, in cleansing and healing a wound, closing a cut, and similar things; that they used medicinal herbs only in an extremity. They showed me the one which is best, a small shrub which I have known this long while, and the dose of which varies according to the strength of the person. There are similar ones at Quebec.

These people cure headaches and colds, which are common amongst them this year, in a singular fashion. The sick person ties a strip of *babiche*<sup>21</sup> tightly around his brow and another Indian opens the vein which we have at the top of the forehead with a sharp knife. Blood is allowed to flow until it stops of itself. After twenty-four hours the sick person is perfectly cured. I have seen this operation performed. The opening in the vein is about an inch in length. This is all that I could learn about this sort of thing.

Ashuapmouchouan was operated down to the cession of Canada to England, but does not appear to have been spectacular in its returns and, apparently, was included in the posts which were leased to Dunn and Gray by General Murray in 1762.<sup>22</sup> Either Dunn and Gray, or their successors Davidson and Baby, closed down the post at Mistassini, but it is significant that they retained Ashuapmouchouan although it continued to be unpopular. It seems to have been the practice, around the turn of the century, for those servants of Ashuapmouchouan, who had been entrusted with the last canoe-loads of merchandise to go in before freeze-up, to waste as much time as possible in order to be caught by the ice

<sup>21</sup>Babiche: rawhide thong.

<sup>22</sup>P.A.C., S series, vol. 719 (old numbering), 38 et seq.

on Lake St. John and so spend the worst part of the winter at Pointe Bleue Post or Chicoutimi. The journal of the manager at Chicoutimi is very bitter about their tricks which he seems to have been unable to frustrate.<sup>33</sup>

Of the later history of the post little is to be found in the records. When the North West Company acquired the King's Posts it was stirred out of its lethargy by the intensive competition which these Scottish traders carried into the camp of the Hudson's Bay Company. The Nor'Westers re-established Mistassini (Fort Munro) and, as the halfway house between the new post and Chicoutimi, Ashuapmouchouan experienced an activity it had not known for years.<sup>34</sup> As a fur post, however, it declined until it served not more than a dozen families,<sup>35</sup> yet the North West Company did not dare close it, for the threat from Trois Rivières was still there. It fell, apparently, into the hands of the English company at the amalgamation of 1821 but, the North West lease expiring in the following year, passed with the rest of the King's Domain to a new lessee, John Goudie, and continued to operate as a thorn in the side of the Hudson's Bay posts in the St. Maurice area, though it continued to decline and remained unprofitable.

It was just about this time that Prisque Verreault, one of the most colourful figures in the history of the Saguenay and belonging to the third generation of a family of traders who had operated in the country since the Cession, took charge of Ashuapmouchouan and continued there after the Hudson's Bay Company re-acquired the post in 1831.<sup>36</sup> Prisque Verreault founded a dynasty, for he lived to a ripe old age and survived two, and possibly three, native wives. The few hunters of the Ashuapmouchouan band who now remain are all his descendants.<sup>37</sup>

Sir George Simpson was disgusted with Ashuapmouchouan which, by his day, had dwindled until it served six or eight families only, and he closed it down in 1850.<sup>38</sup> This seemed to be the end of the old post, but it had seen hard times before and had survived them.

<sup>33</sup>"Journal of Neil McLaren," covers period June, 1800-Nov., 1805. The original journal appears to have been lost but there is a photostatic copy in the archives of La Société Historique du Saguenay.

<sup>34</sup>*Ibid.*

<sup>35</sup>McKenzie, "The King's Posts."

<sup>36</sup>Unpublished extracts from Hudson's Bay Company Archives furnished writer by the late Douglas MacKay.

<sup>37</sup>J. A. Burgesse, "La plus ancienne famille du Saguenay" (La Société Historique du Saguenay, Chicoutimi, to appear shortly).

<sup>38</sup>Hudson's Bay Company Archives—extracts.

The new century was not very old before it began to be realized that traders, not only from the St. Maurice valley, but also from Lake St. John, for the King's Domain was no longer a trading reserve, were operating amongst Indians who had obtained advances from one or other of the Hudson's Bay Company posts in the Saguenay. It was the same old story. Ashuapmouchouan was re-opened under the name of Moar's Post, and a second establishment was located at Chibougamau, a little further north, beyond the site of Nikabau.<sup>39</sup> As usual, neither place was very profitable but had to be kept open from motives of self-defence. A little mining flurry stirred Chibougamau for a while but subsided after a few years. Both posts declined and disappeared quietly around 1937. But Ashuapmouchouan is not yet beaten and will rise again—perhaps not as a fur-trade post, and perhaps the Hudson's Bay Company will not return—but a new road is going through to the Chibougamau goldfields. A village will rise where Nicolas Peltier built his cabin two hundred and fifty years ago.

J. ALLAN BURGESS

Arvida, P.Q.

<sup>39</sup>We do not know the exact date of the re-opening. Moar's Post had an almost independent character and was not operated on the same basis as an ordinary outpost. Hence it does not appear on the fur-trade maps. Tommy Moar, who operated it, and from whom it received its new name, had been in the service of the Hudson's Bay Company for forty-four years in 1944 according to the caption under Kathleen Shackleton's sketch of him which appeared in the December, 1944 issue of *The Beaver*.

## THE LIBERAL PARTY IN ALBERTA, 1905-21\*<sup>1</sup>

ALBERTA has achieved in the Dominion some reputation for political eccentricity but for the first sixteen years of her history as a province her government was in the respectable hands of the Liberal party. The Liberal party established her institutions, the Liberal party shaped the pattern of her political life. Then, in 1921, by the first of the two political convulsions that have transformed the composition of her legislature, the Liberals were swept from power and have since shown little sign of recovering the eminence of office they so long enjoyed. The wholesale violence of the change conceals the true nature of the history of the party in Alberta, for what might seem a sudden catastrophe was in reality a slow process of decay, a process that began as early as 1909, only four years after the Rutherford Government took office in the newly constituted province.

The period of sixteen years falls into three parts. The first four years, from 1905 to 1909, is a period of construction, of sound, rather conservative administration by the Rutherford cabinet. The year 1910 is a year of crisis, when the Alberta and Great Waterways episode served, among other things, to discard the restraining influences imposed upon the radical spirit of the province and its politicians by men of Rutherford's stamp and to break the dominant Liberal party into factions. The third and longest period, from 1911 to 1921, is the period of the Liberal party's decline, a decline accelerated after the loss of A. L. Sifton's leadership in 1917. After 1917 the older parties in the province disintegrate before the rising flood of the United Farmers of Alberta. The U.F.A. victory in the election of 1921 marks the end not only of the Liberal régime but also of the traditional parties as effective forces in the politics of the province.

At the inauguration of the province the Liberal party had every advantage on its side. A Liberal government was in power in Ottawa and the appointment as lieutenant-governor of a staunch Liberal, G. H. V. Bulyea, insured that the first premier and the first cabinet would be of that political complexion. The Liberals thus captured without a blow the institutions of the new province, a victory that left the issue of the first election in little doubt.

\*This paper was presented at the annual meeting of the Canadian Historical Association, May, 1947.

<sup>1</sup>As this paper is based on a longer study, still in progress, of the history of Alberta in this period, few references have been given. The most fruitful sources have been the newspapers of the province, particularly the *Edmonton Bulletin* and the *Calgary Herald* and the recollections of men and women who were participants in the events described. Unfortunately few personal papers of the period have survived.

Although strong arguments existed for the continuance of the non-partisan practice of the Territorial government, they were not strong enough to resist those of party expediency. Indeed the fact that these arguments had been advanced most enthusiastically by men of Conservative proclivities weakened the rival party when it found itself obliged to fight the election on conventional party lines.

In forming his cabinet Rutherford paid little attention to the time-honoured principles of Canadian cabinet-making for there was no attempt to balance sectional and minority interests. All the ministers were Protestant and of Anglo-Saxon origin while the south, in spite of its Conservative leanings, was more heavily represented than the reliably Liberal north. Later premiers were to remedy these defects and one by one the various minorities, the French Canadians, the Ruthenians, and the Mormons, received cabinet representation. Of the five members of the first cabinet only two other than the premier, C. W. Cross, and W. H. Cushing, were to play a prominent part in provincial politics. Rutherford himself was a Strathcona lawyer, deputy speaker of the territorial assembly, highly regarded in Liberal circles and like his colleagues, a man of substance, a leader in his community. His attorney-general, the youthful C. W. Cross, a brilliant product of Upper Canada College and Osgoode Hall, was already recognized in the councils of Edmonton Liberalism as second only to the Honourable Frank Oliver, owner of the influential *Edmonton Bulletin* and successor of Clifford Sifton as minister of the interior. Cushing, the minister of public works, was reputedly wealthy, the owner of a flourishing lumber manufacturing concern in Calgary and as devout a Methodist as the premier was a Baptist.

The membership of the cabinet left no doubt that the election would be fought on party lines and both Liberals and Conservatives organized for the fight. A Liberal convention adopted a verbose and elaborate platform, declaring that the party would be guided by these principles:

- (1) That the intelligent opinion of the people is the true and just source of all political powers.
- (2) That the administration of public affairs should be under continued responsibility to the electorate.
- (3) That the true end of government is the promotion of the welfare of the masses of the people by the creation and preservation, so far as it is possible by the action of the state, of equal opportunities in life for every individual, by the vigorous repression of all encroachments on the rights of the people on the part of monopolistic corporations, by amelioration of the conditions of life and the redress of



injustice, by a steady, orderly and progressive administration of affairs, and by watchful and continued attention to the wants of those new settlers whose courage, industry and thrift are creating the prosperity of the West.

The convention paid lip service to the principle of provincial rights but skirted the dangerous subject of control of natural resources, a point on which the provincial Liberals had been rendered vulnerable by the Laurier Government's action in the Autonomy Act and the acceptance of that action by the Alberta Liberals in the House of Commons. In the convention's words the party demanded "an efficient system of common schools . . . [and] equal opportunity to obtain a good primary education," asserting that "all schools . . . supported by taxation should be subject in every particular to the direct and continuous supervision, regulation and control of the Provincial department of education." The Liberal delegates thus sought to answer the Conservative demand for the elimination of separate schools, a demand that had already caused severe embarrassment to the Laurier Government in the negotiations preceding the grant of autonomy, an embarrassment the Conservatives were quite safe in exploiting. Whereas the Conservatives advocated public ownership of utilities, the Liberal platform asserted more moderately that "the desirability of retaining or acquiring control of all provincial franchises should be kept steadily in view. . . ."

As, according to the convention, "progress and prosperity . . . will depend almost entirely on the development of the agricultural and ranching industries, the provincial government should assist in every possible way, and particularly by the establishment of a system of dairy instruction, by encouraging cheese factories, creameries, forestry and fruit-growing, by assisting the farmers and farmers' associations to improve the breed of livestock, by assisting agricultural fairs . . . [by giving] latest and fullest information [regarding markets] . . . [and] every legitimate assistance in reaching those markets with the least possible loss of profit through excessive freight rates or the intervention of middlemen." The Liberals thus sought to demonstrate their concern for the interests of the rural voter, upon whose favour every Alberta politician is ultimately dependent. Other resolutions promised "strong, economical and business administration of public affairs with prompt attention without unnecessary routine to the wants of the people in all parts of the Province," "a vigorous and practical policy of bridging the more important streams and of maintaining a first-class system of main thoroughfares to all market towns, the cost

... met out of public funds, . . . " "the determination of the feasibility of the Hudson's Bay route . . . and the best method of constructing a railway by that route . . . " and the promotion of the milling industry.

The convention regretted "the necessity . . . of a clause continuing the exemption of railway lands from taxation" and expressed itself "in favour of the government urging . . . the advisability of removing the restriction. . . ." It urged that "a sufficient part of the public domain" be set aside "as a permanent endowment for a Provincial University and an Agricultural College. . . ." It saw "no immediate necessity to incur any provincial debt or to pledge, alienate or hypothecate the assets of the province." Municipalities should retain control of public utilities and the government should behave impartially in expenditure of public funds on public buildings. The convention concluded its outline of the ideal province by calling for firm enforcement of the criminal law and a simple and prompt method of protecting civil rights.<sup>2</sup>

This Liberal platform thriftily availed itself of all the planks selected earlier by the provincial Conservatives, although the Liberals, with the cares of office already on their shoulders, committed to acceptance of the terms of the Autonomy Act and with a congenial government in power at Ottawa, approached more circumspectly than their rivals dangerous matters like separate schools and the control of natural resources. With such a large measure of agreement between the parties as to measures, the election issue resolved itself into a question of men. Would the Rutherford Government carry out its promises more effectively than a Conservative government? The issue thus stated put the Conservatives at a disadvantage. They could not criticize the record of the Rutherford Government because there was as yet no record to criticize. Accordingly, the Alberta election of 1905 had to be a campaign of promises and personalities for the staples of provincial elections, scandals and deficiencies in administration, were not available.

In spite of the disadvantages under which they laboured the Conservatives fought hard, finding an able leader in R. B. Bennett, who had already won a political reputation in the territorial assembly.<sup>3</sup> Bennett's personality became one of the central issues in the campaign, for the Liberal press did not hesitate to point out that he was not only the solicitor for the Canadian Pacific Railway

<sup>2</sup>*Edmonton Bulletin*, August 5, 1905.

<sup>3</sup>C. Cecil Lingard, *Territorial Government in Canada* (Toronto, 1946), 52, n. 2.

but also for the Bell Telephone Company and the Calgary Water Power Company. It was, however, his connexion with the hated C.P.R. that the Liberals most stressed. The Conservatives, the rank and file as well as the leader, they cried, were wholly subservient to the railway company and every plank in the Conservative platform was subtly calculated to delay the building of other railways and so check the development of the West. This Liberal accusation, whether justified or not, was certainly skilful political strategy. Most of the people in Alberta had some reason for disliking the great corporation: those who were remote from it simply because of that remoteness, which seemed to them unfair discrimination against their part of the country; those who lived near it because its rates were too high, its compensation for stock killed on its tracks too low, its officials too brusque, or its service too infrequent. The Canadian Pacific was, after all, a great corporation and that, in an age of trust-busting and muck-raking, was in the agrarian West enough to make politically profitable attacks upon it and those who allegedly served its interests.

There could be no issues of purely provincial significance in a province so young with a government so untried. The absence of such issues upon which the traditional parties could divide in the traditional way brought into the campaign questions that, although of undoubted importance to the people of the province, lay beyond the provincial power to decide. Thus the Conservatives criticized the Autonomy Act, though the party of Sir John A. Macdonald had, as the Liberals were quick to point out, little historical precedent for its advocacy of provincial rights and the electorate must have realized how unlikely it was that a Conservative provincial government would be able to wring from the Laurier Cabinet what had been denied a Liberal administration. Under these circumstances the campaign as it continued grew more bitter and more personal. Both sides levelled accusations of bribery against their opponents. An influential newspaper gave half humorous but quite misleading instructions to the voters regarding the mechanics of balloting. Frank Oliver chose the eve of the election to inform the Edmonton Board of Trade that the federal government was prepared to erect a new post office. The whole election was indeed conducted in the spirit and often in the manner of a lottery, with prizes of varying value to individuals, interests, and sections. There was little to suggest a collective sense of the responsibility that would rest on the shoulders of the men who were to form the political traditions of the new province; there was much to suggest

that there were rocks ahead for the few with a sincere conviction of their public responsibility, among whom must be numbered the newly appointed premier.

The results of the election cannot have been anything but gratifying to the Liberals, for they won an overwhelming victory. Even Bennett went down to defeat and only two opposition members were returned, a Conservative and an Independent. The majorities of the Liberal members were significantly smaller in the south than in the north. In the former region the largest Liberal majority was only 270, the smallest a single vote. The fact that in the thirteen constituencies south of and including Red Deer the average total vote was 1,100, while in the twelve northern constituencies in which elections were held it was only a little more than 800, lent colour to the Conservative suggestion, to be renewed in later campaigns, that the whole thing was a Liberal gerrymander at their expense and at that of the southern part of the province. The Conservatives could take some comfort from the fact that in the thirteen southern constituencies more votes had been cast against the Government than for it, for in that section a number of Independent and Socialist or Labour candidates had complicated the situation.<sup>4</sup>

Few of the members of the new assembly had previous legislative experience. Only seven had sat in the territorial assembly although the new clerk of the House had been a member of the House of Keys in the Isle of Man. Most of the members were young men, their average age being somewhere between thirty and forty. Most of them were prominent citizens in their own communities and most of them were regarded as highly successful. Several had been pioneers in their particular localities. There were a number of lawyers, among them some of the ablest members of the House, but the vast majority was made up of business men, farmers, and ranchers, men with varied interests in their constituencies and with the acquisitive habit of the pioneer. Few were university-educated, few were much given to reflection upon the theory of politics, though some were to prove adept in its practice. They were aggressive men, men who had, as the phrase went, "got on"; they thought of themselves as highly progressive. None was western born, for the province was too young for that; the majority were sons of Ontario and a surprising number of that prolific

<sup>4</sup>The official returns for the provincial elections between 1905 and 1921 have unfortunately been destroyed and all figures given have been based on newspaper reports and the *Parliamentary Guide*.

mother of emigrants, Bruce County. One or two had been born in the British Isles, but these did not play a leading role in provincial affairs, and one was a Utah Mormon, another a Manitoba Mennonite, Russian-born, a third a Swiss or a Savoyard. The standard of oratory was not high and the samples which are preserved in the newspapers of the day, for Alberta economically dispensed with a Hansard, and which are said to have won golden opinions in their time, make it difficult to believe the reports of the large crowds that thronged the galleries for important debates. Either politics was more popular or alternative entertainment was more difficult to find.

The Rutherford Government in the four sessions of the first legislature busied itself with the construction of the institutional framework of a new province. A civil service was created, using as its foundation men who had served the territorial administration at Regina. Legal machinery was set up. Provision was made for necessary public buildings. The capital was fixed permanently at Edmonton, to the lively indignation of the people of Calgary and even of a good many southern Alberta Liberals. An act was passed to establish a provincial university and in due course a beginning was made at Strathcona, again over the violently expressed disapproval of the south. A measure providing for the taxation of railway rights of way was exceedingly popular and when the Canadian Pacific took it to the courts it was held to be within the powers of the province as far as branch lines were concerned. The Government also ventured into the provision of telephone service for those areas not served by the privately owned companies. Cushing's speech in this connexion is of some interest, for coming from a conservative and highly successful business man, it was almost inflammatory.

"Monopolies continue to flourish and tighten their grip upon the vitals of the nation. They continue to filch from the long suffering people of our country large profits on watered stocks to swell the bank account of the foreign millionaire. . . . This province has been invaded by a monopoly that causes all other combinations of that nature to dwindle in comparison, a monopoly possessed with a charter, the act of a Conservative government at Ottawa . . . the most pernicious and iniquitous piece of legislation that has ever been perpetrated upon any people that have any claim to freedom."<sup>5</sup>

Such extensions of government activity as this so vigorously advocated by the minister of public works were impossible without

<sup>5</sup>*Edmonton Bulletin*, Feb. 15, 1907.

borrowing and although nothing could have been farther from the Rutherford Government's intention, it thus initiated a provincial activity that was to be one of the most productive sources of debt and deficit in Alberta's history. Another phase of government activity was, however, to bring the Government's fall. In 1909 Premier Rutherford announced his long awaited railway policy and took it before the voters of the province in the election of that year.

The Rutherford policy was a government guarantee of the bonds of branch lines of the Grand Trunk Pacific and Canadian Northern, and a rather more generous guarantee of those issued by the Alberta and Great Waterways Railway, which was to build a pioneer road from Edmonton to Fort McMurray, connecting the settled portions of the province with the lake and river system of the north. The Alberta and Great Waterways Company was an independent concern promoted by a group of private capitalists, W. R. Clarke and B. R. Clarke, two Kansas City bankers, and William Clarke of Winnipeg.

The election campaign of 1909 followed a pattern that was to become familiar to observers of Alberta politics. Both parties promised all things to all men and the Conservatives were indeed more reckless than the Liberals after four years' experience of the burden of government. Even the Liberals, who might have pointed with justified pride to a substantial record of accomplishment, preferred to emphasize the newly adopted railway policy, calculated in the prevalent boom atmosphere to have more electoral appeal than the dull story of the establishment of judicial and educational systems. The Conservatives, quite as seriously infected with railway fever as the Liberals, were in complete agreement with the Government that the province needed railways and more railways and differed from their opponents only in advocating government ownership rather than financial assistance as the best means of securing them. As in 1905 the Conservatives advocated provincial control of natural resources, again a perfectly safe advocacy as long as the Liberals were in power in Ottawa. The Opposition professed itself willing to go still further than the Liberals in the extension of government activity and pledged itself to the introduction of the initiative, the referendum, and the recall, devices of direct democracy that were currently enjoying considerable favour in the more radically inclined western states. The Liberals, with a clearer understanding of the workings of provincial politics, were content to concentrate on their railway policy and the time-tested charge of Conservative collaboration with the Canadian Pacific.



In 1909 as in 1905 the choice confronting the voters was really a choice not between principles but between personalities. Could a new government do more than the government which had been in power for four years? In the event Liberal organization and Liberal tactics told, for only two Conservatives, one Independent Conservative, and one Socialist won seats. The Conservatives polled a fairly large vote in the south, where the alleged prejudice of the Liberals against the section always played a part in election campaigns, and the three Conservatives elected, Bennett, Hoadley, and Michener, were men of more than average ability, but the result, after due allowance is made for the way in which the constituency boundaries favoured the Liberals, was a decisive mandate for the Rutherford Government.

The real danger to the Government came, not from the Conservatives the electors had so firmly rejected, but from a section of the triumphant Liberal majority in the new legislature. Rumours of a Liberal split were current early in 1910 and when the legislature met in February, events followed one another in quick and startling succession. The question at issue was the Government's arrangement with the Alberta and Great Waterways Company but the broad hints at inefficiency and even corruption threatened the Government's very life. Boyle's apparently innocuous questions<sup>6</sup> were followed by Cushing's resignation, with Cushing claiming that the true nature of the agreement had been concealed from him by Rutherford and Cross. After prolonged and acrimonious debate, the Government was sustained although twelve Liberals voted against it. The excitement not only in the House but in the province at large was intense and in the south many indignation meetings passed votes of want of confidence in the Government and the Waterways contract. The Liberal press gave the Government little support and there were demands for a new government, with Cushing as premier. After the Government was sustained, there was a brief lull but this was followed by the news that C. W. Cross had resigned when he learnt that Rutherford had asked Cushing to return to the Cabinet. Cross was followed out of the Government by W. A. Buchanan but Cross himself returned when Cushing refused the invitation. The premier preserved an almost unbroken silence but rumours were plentiful; every newspaper was full of them and every tea table and every bar, every hotel lobby and every street corner buzzed with speculation, much of it scandalous

<sup>6</sup>*Journals of the Legislative Assembly of the Province of Alberta, Session 1910, 17-18.*

<sup>7</sup>*Ibid.*, 53-4.



and most of it unhampered by any close acquaintance with the facts.

On March 11 a vote of want of confidence was lost by a narrow margin of twenty to seventeen.<sup>8</sup> The Government's majority was now so precarious that if the speaker were to join the insurgents and resign, the elevation of the deputy-speaker to the chair would reduce that majority to one and the Government would be virtually unable to carry on. Three days later the premier announced the appointment of a royal commission to consider the relations of the cabinet, the legislature, and the civil service to the Alberta and Great Waterways Company and the House adjourned to await the commission's report.<sup>9</sup> When the legislature reassembled in May the lieutenant-governor informed the members that he had accepted the resignation of Premier Rutherford and had called upon the Honourable A. L. Sifton, the chief justice of the province, to form a government. As the Commission was still in the midst of its investigation the House was prorogued and the crisis in the politics of the province was past.<sup>10</sup>

The Alberta and Great Waterways scandal is perhaps the most important event in the political history of Alberta. It broke the Liberal party in the province and although that party retained power for eleven years, the break went unattended and only the strong personality of Sifton held the fragments together. The scandal had an even more profound effect upon the people of the province, for it shattered their political innocence beyond repair. After such a washing of dirty linen as occurred in 1910 the voters of Alberta never quite believed in their politicians, especially in those politicians who were identified with the old line parties or who had been long in power. The ghost of the Alberta and Great Waterways haunted more than the councils of Alberta Liberals and the debit sides of Alberta budgets; it haunted the minds of all those who had in 1910 believed that they were re-electing an honest government. But the most curious circumstance of all is that no dishonesty was ever proved to have existed.

The two reports of the Royal Commission formally exonerated the members of the Government and legislature from the suspicion of corruption but the majority report left a decided impression that the Rutherford Government had made a very poor bargain with the promoters of the railway company. The general effect of the report was indeed to leave the verdict hanging in the air, for although the minority report did express the view that Rutherford,

<sup>8</sup>*Ibid.*, 66-7.

<sup>9</sup>*Ibid.*, 75-7.

<sup>10</sup>*Ibid.*, 89.

Cross, and Cornwall were entirely innocent of any impropriety, the majority report coldly stated that the evidence against them was inconclusive.<sup>11</sup>

The Alberta and Great Waterways episode was the product of many cross-currents in Alberta politics. The Rutherford Government had given the province five years of reasonably sound government, less extravagant than Liberal election promises. Rutherford was not an altogether inspiring leader but few have questioned his honesty or his devotion to the cause of good government. That the personal ambitions of some of his followers played a part in his downfall, charge and counter-charge reveal and although he had a devoted following he was not strong enough to exercise rigid control over his party. A division in the provincial Liberal party between the partisans of Frank Oliver, long dominant in northern Alberta liberalism, and the youthful, able, and ambitious attorney-general, C. W. Cross, was another contributing factor, and this domestic squabble the Conservative party was naturally eager to turn to its own advantage. But behind the incident lies something deeper than party feuds. The provincial electorate was in a reckless mood, eager for development at all costs and not apparently likely to be critical of the method by which such development was brought about. This recklessness was particularly marked in the matter of railways but was manifest in the fever of speculation, especially in real estate, which gripped the province during its early years. The temptation of politicians to outbid each other with ill-considered schemes was overwhelming and the Rutherford Government, had it not succumbed, might have been swept aside in the election of 1909. Indeed it appears that Rutherford himself was regarded as over-cautious and that the more radical spirits in his party were eager to be rid of his restraining influence. The Alberta and Great Waterways scheme, ill-conceived though it was, was fully endorsed by the people in the election of 1909. When its weaknesses appeared, the electorate was given no opportunity to voice its opinion. The scheme was dropped, not because it was intrinsically unsound, but because it threatened not merely the unity of the Liberal party but its tenure of office, for an election in 1910 would have been for the Liberals a very risky enterprise.

The Sifton Government found itself in a position of considerable embarrassment even after it had officially abandoned the Rutherford policy. The Alberta and Great Waterways bonds had been

<sup>11</sup>The reports of the Alberta and Great Waterways Commission were not printed, but bound copies exist in the Provincial Library, Edmonton.

sold and the banks refused to surrender the proceeds to the Alberta government for use by another railway company as the Sifton policy proposed. The banks were sustained in their refusal by the Privy Council and the case of *King v. the Royal Bank*, making its slow progress through the courts, provided the Opposition with excellent ammunition for its attack upon the Sifton Government. The dissident Liberals could point to its failure to build the promised railway while the Conservatives could attack what Bennett called its confiscatory legislation. Under these circumstances the Liberal hold on the province weakened. A number of by-elections in 1911 were won by Conservatives while two of the ablest members of the Liberal party were lost to the House of Commons. The new premier was keenly aware of the way the political wind was blowing; he is said to have grown visibly thinner as the Cross vote in the House grew larger. Sifton had not exhausted his resources and in the provision of guarantees for 1,733 miles of railway and in an expansion of the Cabinet he found the means of reconciling the factions. Cross joined the Government as attorney-general after the prorogation of the house in 1912 and J. R. Boyle, one of the leaders of the opposition to the Rutherford railway policy, simultaneously became minister of education. The breach in the Liberal ranks was thus officially healed, though Rutherford himself remained outside the fold, his political career virtually at an end.

The Liberal party, weakened by internal dissension and embarrassed by the Privy Council's decision in *King v. the Royal Bank*, entered the election of 1913 with less confidence than it had shown in 1905 and 1909. The Conservatives had surrendered completely to the influences that determined the political life of the province. Referendum and recall, civil service reform, provincial administration of natural resources, government construction of railways, and government activity in the construction and operation of grain elevators, in the provision of telephone service, hail insurance, and low-interest loans, all found a place in their platform. The Liberals were quite as aware as the Opposition of the demands of the rural voters and the Liberal legislation of 1913 was almost entirely concerned with the implementation of the resolutions passed by the 1913 convention of the United Farmers of Alberta. The Liberals had in fact gone as far as providing for direct legislation by a statute passed in the last session, a rather limited measure which did not include the expedient of recall but which suggested the willingness of Alberta politicians of all parties to meet the demand of the electorate for radical measures. The Liberals also armed themselves

with a redistribution act, bitterly denounced by the Conservatives as failing completely to give anything like a fair representation.

As usual there was little real difference in the platform of the two parties and the Conservatives, unable to outdo the Government in promises, were obliged to resort to a campaign of complaints. The Conservatives were further handicapped by their loss of R. B. Bennett's leadership as a result of his election in 1911 to the House of Commons. Had he remained in provincial politics, the Conservatives might have won the election of 1913. As it was, the election once again turned on personalities and was determined more by organization and methods than by party platforms. Liberal control of the Government gave a great advantage, but even so the Conservatives made substantial gains, electing eighteen members in a House of fifty-six. In terms of the popular vote, the Conservatives were not far behind the Liberals and more votes were cast against the Government than for it. The figures made it obvious that the urban and southern areas, where the Conservative strength was greatest, were grossly under-represented. It was also evident that the voter had been impressed by the Alberta and Great Waterways episode.

Among the defeated candidates was the former premier and a number of the other chief actors in the Alberta and Great Waterways drama did not return to the House. Although this encouraged Liberal hopes of a less divided party, the influence exerted in the election by the United Farmers of Alberta might have alarmed the more prescient among them. That organization still rejected direct political action but it did not hesitate to bring the full pressure of its large and excellent organization to bear upon the Government. It was made quite clear to supporters of the U.F.A. that, in view of what the Liberals had done at Edmonton and what the Conservatives had not done at Ottawa, a Liberal candidate was deserving of a farmer's vote.

The attitude of the organized farmers, the comparative strength of the Liberal organization, the weakness of the Conservative appeal, and a skilful redistribution of seats seem to have been the chief causes of the Liberal victory in 1913. That the party's hold on the electorate had slackened was evident from the Conservative successes in eighteen of the fifty-six ridings and from the smallness of the Liberal majorities in many others, especially those in the urban and southern parts of the province. In spite of the large Liberal majority in the house, the party received a minority of the votes and the political prophet might have argued from this that,

efficient though the Liberal machine was, it could not indefinitely continue its control of the provincial government. Even more obvious was the fact that the U.F.A., steadily growing in membership and influence, could turn the balance away from the Liberals. The Conservatives, without effective leadership and handicapped by the unpopularity in the province of their party's federal policies, were not likely to attract the support of the farmer movement. But if a third party were to come into being, or if the U.F.A. itself decided to go into politics, there was every reason to believe that the Liberal party would see its comfortable majority disappear and its representatives become merely one splinter of an ineffective opposition.

The beginning of the War of 1914 brought a party truce which lasted until 1916. Some of the members joined the services and the province generally was less concerned with local politics than with wider issues. It is indeed at this point that provincial politics, except at odd moments, pass from the headlines of the newspapers. For the party in power this lowering of the political temperature does not seem to have been especially beneficial, for the lack of interest in the doings of the legislature was accompanied by a growing preoccupation, at least in the rural areas, with the farmers' movement. The Conservatives soon grew tired of the truce and launched vigorous attacks upon the Government, especially upon its administration of the Liquor Act and its railway policies, but the election of June, 1917 brought no important change in the make-up of the house. Indeed the most interesting result was the return of two members of the Non-Partisan League.

A more severe blow to the Liberals in Alberta than any the Conservatives could level was the resignation of A. L. Sifton, who in 1917 became a member of Borden's Union Government. The glacial and autocratic Sifton had become the unquestioned master of the Liberal party which he had rescued from its acute embarrassment of 1910. Coupled with the split in federal Liberalism over the conscription issue, the loss of Sifton's leadership was a tragedy for the provincial party. Like the Conservatives after their loss of Bennett in 1911, the Liberals after 1917 were sheep without a shepherd. The new premier, the Honourable Charles Stewart, proved unable to hold the party together and the old faction fights flared up again. Frank Oliver was the leading Alberta Liberal to remain loyal to Laurier and his newspaper, the *Edmonton Bulletin*, was the only important journal in the West that opposed conscription. Although Stewart himself declared for

union and sought to keep federal issues out of provincial politics, Oliver had many friends in Stewart's Cabinet and among the Liberal members and his relations with those of the party who shared Sifton's strong belief in the desirability of conscription and union government were far from happy. Curiously enough Oliver and his old enemy Cross now found themselves in the same camp and less than a year after Stewart's Cabinet had been sworn in, Cross was dismissed as attorney-general. Stewart's inability to maintain party discipline, or even the appearance of cabinet homogeneity, was sharply demonstrated in 1918, when a by-election resulted from the Conservative leader's elevation to the Senate. Although there was no Conservative candidate, a self-styled Independent Liberal was denounced by several cabinet ministers and by his victorious Liberal opponent as a Unionist. Such liberties would never have been taken by Sifton's subordinates.

The old parties were clearly falling to pieces under the pressure exerted upon them in part from within by their own shortcomings but much more from without by the growing strength of the U.F.A., now feeling its way hesitantly towards direct political action. As early as 1919 a Farmer candidate was returned in a by-election by a heavy majority which suggested that the U.F.A. had only to ask the people for power and it would be given to them. The Government meanwhile, fully aware of the crumbling foundations of its support, was compelled to cope with the difficult problems of post-war readjustment. Of these not the least vexatious was that of the railways, for both the Alberta and Great Waterways and the Edmonton, Dunvegan, and British Columbia, built under Sifton's guarantees, were in grave difficulties. The Dominion declined to incorporate them in the national system and the province was compelled to take them over, lease the Edmonton, Dunvegan, and British Columbia to the Canadian Pacific and operate the Alberta and Great Waterways itself. The municipalities of the province were also in financial trouble and their reorganization was full of pitfalls, for municipal affairs touch the voter in a tender spot. The Government was further embarrassed by its unsuccessful negotiations with the Dominion regarding natural resources.

The provincial Liberal party, old and tired after sixteen years of power, a period long even by Canadian standards, was scarcely likely to be able to cope successfully with these problems. It was beset by troubles on every side and some were beyond its control. The post-war recession struck at the western farmers with especial vehemence and old parties and old governments are apt to be the



victims of such economic blizzards. In such climates new parties flourish and the U.F.A., even before it had made up its mind to be a party, found these adverse winds most bracing. It was not, curiously enough, except in the most general way, critical of the Government's policies. The Government indeed was willing to make any concession to retain the rural vote that had so long sustained it. The Liberals, instead of growing more conservative the longer they enjoyed power, grew more radical. During the war years they had matched the introduction of direct legislation with such measures as an act for female suffrage and they had not hesitated to allow the institution of prohibition by petition and referendum, grievous though that measure may have been to some of the more bibulous. The Liberals were quite willing to be radical agrarians; so were the Conservatives. But the public, or the majority of the public, was openly sceptical of the likelihood of the realization of any agrarian utopia by the old parties and by 1921 was politely oblivious of any claim Liberal or Conservative might have upon its votes.

This scepticism was demonstrated during the by-election at Cochrane in 1919, when a Farmer candidate was returned by a large majority in a riding till then faithfully Liberal. The premier professed himself stunned by the Farmer candidature, for, as he plaintively observed, had he himself not been a farmer all his life? Was not his every penny invested in his farm? Was not his government a farmer's government? Why should the people turn towards this dangerous experiment in class government? The answer was given by the Farmer candidate. The public, he said, was tired of "government from the throne." It wanted "direct government from the people."<sup>12</sup> The old parties were willing to make any promises but the electorate had ceased to believe that they would carry them out.

It is beyond the scope of this paper to treat of the rise of the U.F.A. and its resort to direct political action after the formation of the U.F.A. Political Association in 1919. By 1921 the old parties were in full retreat. The Conservative party split into two factions, one calling itself Independent Conservative and grouped around Mr. George Hoadley, who was to become a member of the first U.F.A. Government. So completely had the Conservative organization disintegrated that it ran candidates in very few constituencies and was successful in only one. A good many independent candidates complicated the election, although they did

<sup>12</sup>*Canadian Annual Review*, 1919, 755-6.



not affect its outcome, a complete victory for the U.F.A., which won thirty-nine seats. The Liberals remained as the second party but in the expanded house of sixty-one members, their fourteen seats were a handful and with Stewart's resignation, Liberal domination of Alberta politics was at an end.

The Liberal party in Alberta tried hard to adjust itself to the demands of the provincial electorate. When it found the voters unwilling to accept the humdrum round of routine government that is the primary concern of provincial politicians, it suffered the pangs of the Alberta and Great Waterways crisis to rid itself of restraining influences. But it was unable to shake loose the encumbrance of its connexion with the federal Liberal party and it never convinced the voters that it was wholly without the political guile they attributed to the politicians of the east. When a new and indigenous movement in the form of the U.F.A. challenged its control, its only answer was appeasement and when the new movement decided to adopt direct action, the Liberals found themselves powerless to resist.

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## REVIEW ARTICLE

### THE MÉTIS AND THE CONFLICT OF CULTURES IN WESTERN CANADA\*

It is a sociological truism that when two systems of culture come into conflict with each other the basic facts and pattern of subsequent developments are invariably similar. There may be differences in detail and variations arising out of special circumstances surrounding the conflict, but, like the Hollywood "Western," the story in outline follows the same plot.

When the people involved are in approximately the same stage of development the conflict or meeting of cultures is usually attended by fruitful consequences to both; each is able to assimilate whatever appears useful or beneficial in the other's culture—but where one of the peoples involved has lagged far behind the other in material and social development, the impact of the civilized upon the culturally retarded group leads, all too often, to the rapid moral disintegration and physical decline of the latter. Occasionally, as in the case of the Eskimo, climate or geography intervenes to permit a gradual adjustment on the part of the primitive race to the altered circumstances arising out of contact with the more advanced race. Usually, there is no alleviating factor and the cultural system of the primitive race, with little to sustain it, tends rapidly to fall to pieces. In almost every part of the civilized world are to be found examples of the human wreckage resulting from the sudden impact of civilized upon primitive cultures.

The general conclusion holds true whether the initial contact of white man and native be hostile or friendly; whether the civilized intruder be motivated by a hunger for native lands, a desire to exchange goods, or a determination to save native souls. In each case the primitive race is usually reduced to a state of subordination and dependence. This result may come quickly as a result of defeat in battle, or slowly as a result of the undermining of the social and economic structure of the tribe by the trader and the missionary. But come it does. All primitive peoples pay a heavy price for the "benefits" of civilization.

This is, at least, the story of the conflict of cultures in North America. The old native order underwent a complete change with the advent of the white men to this continent. The aboriginal became dependent upon the trader not only for his tools and weapons, but even for the necessities of life. He became the prey of the white man's diseases, small-pox and tuberculosis. He became the virtual slave of the trading post where he obtained the whisky and brandy he craved. To satisfy the white man's demand for furs the Indian depleted his own hunting grounds; he defied the authority of his chiefs; he broke the bonds imposed by family and tribal ties. His society, based upon a maximum of stability and a minimum of change, began to crumble before the onslaught of the white man. Alexander Henry was not far wrong when he wrote of the Indian, "Happy are those who have the least association with us."

The contact of the native and white man resulted not only in the creation of an aboriginal problem, but also in the creation of a mixed blood problem as well. There are few historical exceptions to the general rule that when two races come into contact with each other and occupy the same physical area miscegenation takes place and a new ethnic group is born. It is only necessary to refer to the mulatto in the United States, the half-caste in the Orient, and the *métis* or half-breed in Canada.

\**Le Métis Canadien: Son rôle dans l'histoire des provinces de l'Ouest.* By MARCEL GIRAUD. (Université de Paris, Travaux et Mémoires de l'Institut d'Ethnologie, tome XLIV.) Paris: Institut d'Ethnologie. 1945. Pp. lvi, 1296. (France et Colonies, 1000 fr., Étranger, 1500 fr.)

In studying this problem of miscegenation we must discard the all too prevalent attitude which takes it for granted that all mixed bloods or half-breeds inherit the vices of both parents and the virtues of neither, and that they are without exception indolent, immoral, and degenerate. There are socially maladjusted individuals in every society, and although the incidence of maladjustment may be higher in communities of mixed bloods than in more integrated societies, this may be regarded as the product of their environment rather than the invariable concomitant of mixed breeding. Nevertheless, it must be admitted that the history of the white-Indian hybrid in Canada is not a happy one. Despite the important part which he played in the early economy of the Canadian West in the days of the fur trade, today the half-breed is a member of a marginal society which has been unable to adapt itself to the complexities of a competitive civilization and which is sinking more and more into a state of complete and utter despondency.

Neither the historical nor the sociological aspect of the half-breed problem in Canada has ever received anything like adequate treatment. With the exception of A. H. de Trémaudan's *L'Histoire de la nation métisse dans l'ouest canadien* (Montreal, 1935)—a polemical account inspired largely by a desire to justify the insurrections of 1869 and 1885 and to rehabilitate the memory of Louis Riel—there has been little effort to deal with the half-breed as a factor in Canadian history except in a very general way. It is therefore a real pleasure now to find a complete, one might say exhaustive, and thoroughly documented study of this subject from the pen of a French historian, Marcel Giraud. His is an imposing volume of nearly 1,300 pages and over 400,000 words. One cannot, however, help but remark that this work ought to have appeared in two volumes rather than one if only for the sake of easier handling.

The range of M. Giraud's research is revealed in his bibliography. He has sought his materials in the archives of the Hudson's Bay Company in London, England, and in those of the Dominion of Canada in Ottawa. He has drawn upon the missionary letters housed in the Archbishop's Archives at St. Boniface and Edmonton. All of these sources have provided new facts and new interpretations. He has examined the National Archives in Paris, but apparently with little profit as far as the history of the Canadian West is concerned with the exception of the accounts left by the early trader-explorers who sought the Western Sea under royal commission. In addition to these more or less sedentary researches, M. Giraud has carried his investigations into the field and has visited and seen for himself the conditions prevailing in the various half-breed settlements in the three Prairie Provinces.

The author's objective, as stated in his preface, is to "trace"—modest word—the evolution of the half-breed from his origins to the present day, to define the role which he has played in the history of "the western provinces," and to examine the factors which have determined his present social and economic position in the Dominion. Although considerable space is devoted to the contribution of the English-speaking half-breeds, it is with the Franco-Indian, or *métis*, that the book is principally concerned. M. Giraud also limits his study to the Prairie Provinces (a narrow interpretation of "western provinces" to which a British Columbian might take exception) as it was here that the population of mixed blood played its most important part in the past and it is here that the problem of assimilation is most acute today.

Two preliminary chapters deal with the geography and ethnology of the area studied. These are followed by a detailed account of the penetration of the territory

lying west and north-west of the Great Lakes by the fur traders who followed the well-defined inland water routes from Lake Superior and Hudson Bay. Looking upon the wanderings of Kelsey, Stewart, and Henday as isolated exceptions rather than general Company policy, M. Giraud takes the view that the French Canadians are entitled to be regarded as the pioneers in this region. Nameless *coureurs de bois* entered this country almost a century before the Hudson's Bay Company. It was not, however, until the latter part of the seventeenth century that the Canadians began their western offensive in earnest. Led by Radisson, Groseilliers, du Lhut, La Tourette, Noyon, and later by La Noue and La Vérendrye, they undertook a clockwise movement from Lake Superior which cut off the flow of furs from the interior tribes to the English trading posts on the Bay and precipitated that clash between the Montreal and London fur interests which lasted in various forms until 1821.

The policy of encirclement continued after the fall of New France. The "Pedlars" and the Nor'Westers quickly spread into the rocky regions of the Shield, into the prairies and into the woodlands beyond. The Hudson's Bay Company accepted their challenge; and what began in the early part of the eighteenth century as commercial rivalry degenerated in the latter part of the same century into violence and bloodshed.

A new ethnic group, the half-breed or *métis*, coincided with the appearance of the white race in the west. The eighteenth century was its period of incubation; but in the opening years of the nineteenth century, the years which witnessed the decisive struggle of the two great fur-trading companies, the new group acquired a history and with it a distinct personality. The events of this period endowed "The New Nation" as it became known, with a tradition and a past which the half-breed looked upon as glorious and which gave added strength to his newly acquired sense of community.

It is interesting to note the ease with which the French Canadians united with the Indians; an ease born of long association with the frontier on the St. Lawrence and the precarious economy of New France which drove many men into the fur trade. Mixed marriages were never seriously discountenanced by the political or religious authorities of the colony; they were, in fact, encouraged by the Intendant Talon and King Louis XIV and blessed by the Church as a means of turning the Indian by language and manners into a good Frenchman. Thus the intermingling of the races on the plains came as a matter of course and convenience. On the other hand, the Hudson's Bay Company officially disapproved of alliances with the Indian women and undertook to punish breaches of morality. Segregation of the races was the Company's policy. However, isolation, the increasing use of alcohol as an item of trade, and the "sexual hospitality" of the Indians forced a relinquishment of the earlier restrictions and led to the growth of a mixed blood population on the Bay. "The New Nation" thus included both English and French-speaking half-breeds; but, despite their common Indian origin, neither group ever acquired a complete sense of solidarity with the other.

As a rule the half-breed looked upon himself as above the true-born Indian, and although a number of the half-breed men continued to unite with Indian women, the half-breed women almost invariably married within their own racial group, and, in some instances, among the whites. In this way the half-breeds, as an ethnic group, tended to become "fixed." This fixation was given added solidity with the appearance of a sedentary colony at Red River.

The French half-breeds were not, at the outset, hostile to Lord Selkirk's colony.

They had no understanding of the repercussions which it would have upon the trading operations of the North West Company which employed them, or upon their own nomadic economy. M. Giraud suggests that had Miles Macdonnell welcomed the half-breeds to the colony instead of drawing race distinctions and building up that sense of inferiority which the half-breeds always displayed in their dealings with the white men, he might have rallied at least the English-speaking half-breeds to his support and avoided the bloodshed which followed.

But, if the half-breeds did not understand the long-range significance of the colony the Nor'Westers did. They therefore set out to destroy the Selkirk settlement. This destruction was to be the work of the native population. The answer to the claim of the Hudson's Bay Company to proprietary rights in Rupert's Land was to be a counter claim by the half-breeds. The Nor'Westers sedulously instilled into the minds of the French half-breeds in their employ that they were, by virtue of their Indian blood, the real "Lords of the Soil" and that they should rise and defend their patrimony against the alien intruders at Red River. It was upon this flimsy base that the whole edifice of half-breed nationalism was constructed. The simplicity of the national appeal was in itself attractive. It flattered the vanity of the half-breeds and gave them a feeling of pride where formerly there had been a sense of inferiority—a pride which was embodied in "*Chanson de la Grenouillère*" by Pierre Falcon. Despite its fluctuations during the nineteenth century the national idea never died out among the half-breeds. The North West Company had sowed the dragon's teeth. Canada reaped the harvest of rebellion.

All of this will look familiar to the student of Western Canadian history. At first glance it would appear to be ground which has been well trodden by the late Professor A. S. Morton in his *History of the Canadian West to 1870-71*. It is true that M. Giraud does not furnish us with a great body of new facts, although he has paused to examine some aspects of the scene before which Professor Morton did not linger. But M. Giraud's approach and emphasis are different. Although he has relied, like Professor Morton, largely upon the source materials available in the Hudson's Bay Company's Archives, it is through the eyes of the Canadian fur trader and the half-breed rather than those of the Company man that we view a not unfamiliar landscape. The author never loses sight of his main objective. Crowded as these chapters are with detail—and they outdo those of Professor Morton in this respect—they are an indispensable background for the story of the half-breed race.

M. Giraud points out that the remarkable feature of the national idea among the half-breeds was the fact of its survival. It was based upon a fundamental contradiction. If, from one point of view, the half-breed was allied with the aboriginal inhabitant, he was, from another, allied with the white interloper. There was no real element of solidity in his national culture or in his personality. The national idea was too fragile a conception to insure the lasting cohesion of the race or to inspire it with the will to sustained effort. It scarcely provides the resources for a cultural renaissance at the present time. And yet this feeling that they were a race distinct from the Indians and the whites did reappear among the half-breeds on more than one occasion, usually under the stimulation of real or fancied grievances. It was a factor in the struggle for freedom of trade against the monopoly of the Hudson's Bay Company; it was also a factor in the two Riel risings.

Another feature of interest was the growth of a distinct class structure among the half-breeds. At the top was the *bourgeoisie* represented principally by the

farmers in the Red River Settlement. Then followed the traders, carters, boatmen, and guides employed by the Hudson's Bay Company. At the bottom were the buffalo hunters. There must necessarily be exceptions to all generalizations, but broadly speaking it is true to say that the first group was represented principally by the English-speaking half-breeds, the progeny of the "gentlemen" of the Hudson's Bay Company who as a group possessed the advantages of education as well as the provident habits of their Scottish fathers and of whom Alex Ross wrote with so much smugness in *The Red River Settlement* in 1856. The French half-breeds for the most part clung to the nomadic economy of the plains. They retained their small holdings in the Settlement but their principal activity was the bi-annual buffalo hunt. The tragedy of this group lay in their inability to foresee that new ways of life must follow the passing of the fur trade. To the new economic revolution they could oppose only the "vain formula" of an inchoate "nationalism." They were—and remain—the victims of their attachment to an archaic economy which was scotched by the passing of the Hudson's Bay Company in 1869-70 and killed by the completion of the C.P.R. in 1885. The dates are not without significance.

Not least important are the concluding chapters dealing with the position of the half-breeds following the North West Rebellion. Some, like Gabriel Dumont, fled to the United States. Of these a few yielded to the persuasions of their priests and returned to Canada; others steadily refused and settled in Montana and North Dakota where their descendants are to be found today. Those who remained in Canada received scrip for their lands on terms similar to those conceded to the half-breeds at Red River. But the scrip soon found its way into the pockets of the "scrip millionaires," and the half-breeds, their scrip gone, their small capital quickly dissipated, deprived of the only economy they understood, and regarded as inferiors by the white men with whom they were in law equal in political status, abandoned themselves to discouragement and poverty, incapable, apparently, of adapting themselves to the competitive civilization of a machine age. An effort was made by the Catholic Church to settle families of this type on a special reserve at St. Paul de Métis in Alberta, but the project failed, partly at least, through lack of financial support.

For nearly a century Red River was the nucleus of civilization on the plains and the Red River half-breeds today include the most successful members of the race. The explanation probably lies in the fact that following the first Riel rising the more recalcitrant group migrated to the Saskatchewan River valley leaving behind those most capable of withstanding the shock of the economic revolution which followed the annexation of the territory by Canada. In parishes like St. Pierre-Jolys in Manitoba there is little distinction between the half-breeds and their French-Canadian neighbours. For the most part they have assimilated the mentality and methods of the white men. Only occasionally is it possible to discern a vague "national sentiment" which leads the half-breeds to vote in great numbers for a political candidate of their own race independent of his party affiliations. In other parts of Manitoba the half-breed settlements are scarcely so promising. The half-breeds of Marchand, Sandilands, and Woodridge display a lack of foresight and initiative which is probably encouraged by the physical environment in which they live, the proximity of the woods, and the prejudices of the white settlers.

It is, however, in the provinces of Saskatchewan and Alberta that the half-breed problem is most acute. Here we find the descendants of the buffalo hunters and the "freemen" of the plains; those least affected by the civilizing influences

of the Church and most recently torn from a semi-nomadic economy. Here is a race of people, many of them closer to the Indians than to the whites, which is excluded from both societies which gave it birth. There are, of course, individual families who have succeeded in adapting themselves; there are communities like St. Louis de Langevin which may be regarded as moderately successful; but for the most part these are simply islands of hope in a sea of despondency. The bulk of the half-breed population of these provinces is without pride, without ambition, and without future. The white men, eager to dispel any suggestion that they have any racial affiliations with the "breeds," despise them—an attitude which only serves to strengthen that sense of inferiority which militates against the half-breeds' adaptation to the new culture. The result: material poverty, moral decadence, and physical degeneration. At the same time the half-breed finds no refuge among his maternal kinsfolk. There are barriers to be overcome before he may be admitted to the Indian treaties; and although these are not insuperable there are instances of Indian tribes refusing to admit half-breeds to the reserve.

The fact is that the half-breed does not wish to be a government ward. He possesses dim aspirations to a better status in society which might, under proper direction, be exploited to improve his lot. M. Giraud suggests that selected families might be re-allocated among successful white farmers; for others the reserve may be the only answer. The eventual assimilation of the half-breed into white and native society seems certain in the long run; but there is still a lengthy period of marginal existence ahead of him. For the present he presents a pitiful spectacle, a constant reproach to both Dominion and provincial authorities.

There are several unpretentious maps appended to M. Giraud's volume and a number of illustrations of half-breed types and their dwellings which add considerably to the interest of the book. There is also an index which appears reasonably satisfactory. In a book of such dimensions there are bound to be misprints and a number of these have been corrected in the Errata. Perhaps a few points call for brief comment. Throughout the book Henday appears as Hende; Biggar appears as Bigar on page 125; Morton should be Norton on pages 203 and 217; and Keveney, Kevény on pages 600, 603, 606. On page 1111 Louis de Rainval should be Louis de Plainval. The author credits La Vérendrye with having come within sight of the Rocky Mountains (p. 167). The generally accepted view is that he saw the Black Hills of South Dakota rather than the foothills of the Rockies. On page 597 there is some confusion between Alexander Macdonell of the North West Company and Selkirk's sheriff of the same name. It was the latter who led the colonists to Lake Winnipeg after the expulsion of the colony in 1816. But these are of little consequence in so large and scholarly a work. M. Giraud's book is one for which this reviewer expresses great admiration. It is a positive contribution both to Canadian history and to Canadian sociology.

GEORGE F. G. STANLEY

The University of British Columbia.



## REVIEWS OF BOOKS

*Canada: A Political and Social History.* By EDGAR MCINNIS. New York and Toronto: Rhinehart and Company [Toronto: Clarke, Irwin and Company]. 1947. Pp. xviii, 574. (\$6.50)

THE publication of this book confirms a recent trend in Canadian historiography, that of synthesis. It is arresting to observe that, within the course of the last five years, three eminent scholars have produced syntheses of Canadian history. In the volume under review, Mr. McNinis provides a fourth. The time when the Canadian historian was compelled to be content with primary research and the production of monographs only, is clearly passing, and we may expect to see further studies of this interpretative type. Thus, together with the work of Messrs. Long, Creighton, and Lower, Mr. McNinis's *Canada: A Political and Social History* constitutes an important milestone in the development of Canadian historical writing.

It is no disparagement to say that it is as an interpretation that *Canada: A Political and Social History* will attract greatest attention. The hard facts of Canada's natural setting, and the diverse character of the Canadian peoples are the basic elements of its history, as Mr. McNinis presents it. It may be argued that these are old concepts, but the value of Mr. McNinis's presentation is that he makes them dynamic rather than static, and traces their operation from the beginning to the end of the narrative. The concluding passage of the volume shows the manner in which Canadian attitude towards the outside world is conditioned by the peculiarity of the country's composition: "The direct connection between internal structure and external policies became clearer and more inescapable than ever; and Canada, which had reached mature stature among the nations. . . , must first prove her capacity to solve the internal difficulties which confronted her if she was to fulfill the destiny that now lay before her." While the conclusion is thus guarded, it would be entirely incorrect to put down Mr. McNinis's interpretation of Canadian history as pessimistic. On the contrary, he stresses the magnitude of Canada's accomplishment, internally in racial relationships, and externally in attitudes towards the United Kingdom and the United States.

While the reviewer finds himself in agreement with Mr. McNinis's main presentation, there are details which he queries or from which he dissents. The volume is described as a political and social history. The political treatment is adequate and brilliant, but the social treatment leaves something to be desired. The evolution and development of class-groups appears to be largely left out. Even the social dynamic in political alignments scarcely receives the attention one might legitimately expect. This criticism, however, must be qualified in view of the highly effective presentation of the evolution of the Social Credit party (pp. 449-50), and of the Cooperative Commonwealth Federation (pp. 453-6). The development of the churches during the last hundred years is another topic virtually unconsidered. The practical *rapprochement* between the socially stable churches and the state is a phenomenon of immense moment, yet there is no direct reference to it. Even in the earlier period, when church influences are considered, the references are not always happy. The implication that the intellectual stagnation of New France was due to the presence of the Roman Catholic Church and to the absence of a popular press, does less than justice to the Church, and much more than justice to the educative powers of the newspaper (p. 74). On the

other hand, the discussion of creative development in literature and art is extremely ably handled, as witness the integration of this topic in the period of national expansion previous to the First Great War (pp. 572 ff.).

The criticisms above excepted, *Canada: A Political and Social History*, is a remarkably well-balanced book. In its twenty chapters, it brings the history of this country from pre-discovery to the conclusion of the Second World War. The first six chapters cover the period up to the Cession; the last four, the period since 1914. One of the most commendable features of Mr. McInnis's method is the adequate treatment of phases, events, and persons. Each has its share, yet the share each receives is carefully proportioned. This consideration renders the book extremely satisfying from the structural point of view, and is a tribute to the care with which the author has worked out his basic concepts of Canadian development. Stylistically, *Canada: A Political and Social History*, is characterized by a studied simplicity of phrase, with only a suggestion, here and there, of the rollicking virility of the *Unguarded Frontier*. It is singularly free from typographical errors, a final tribute to the workmanship which has gone into its production.

Two features of Mr. McInnis's volume, the maps and the illustrations, merit special note. The maps are numerous, are very clearly drawn, and are on such a scale as to be really useful. They are placed close to the text they illustrate and are a good example of the intelligent use which can be made of maps in the exposition of history. The illustrations make Mr. McInnis's book virtually unique. Usually contemporary with the events they delineate, they are important historical documents in themselves. The inclusion of a number of cartoons, some by the "Old Masters," Henri Julien and Bengough, and others by the "Moderns," Arch Dale and Ivan Glassco, adds a special zest. Drawn from the major collections, the illustrations serve to remind Canadians, and to instruct foreigners, of the wealth of pictorial material that this country possesses. It is unfortunate that the phrasing of the titles of some of the pictures is not as precise as one would wish, for example, the engraving from Hennepin's *New Discovery*, following page 30, and the drawing of Montreal, facing page 127. Entirely unsuspectingly, Mr. McInnis has helped to perpetuate Canada's most unhappy historical reconstruction, "The First Steam Train," following page 286. The Toronto Reference Library would perform a national service by destroying its copy of this cut, which is grossly inaccurate, and which rests on no historical basis whatsoever. Criticisms of this kind are not captious, but are offered in the hope that they may make even more useful the admirable illustrative material contained in *Canada: A Political and Social History*.

JOHN IRWIN COOPER

McGill University.

*Histoire de la Province de Québec.* By ROBERT RUMILLY. XIV. *Sir Lomer Gouin*. XV. *Mgr Bruchési*. XVI. *Défaite de Laurier*. XVII. *Les Écoles du Keewatin*. XVIII. *Le Règlement 17*. Montréal: Éditions Bernard Valiquette. 1945-6. Pp. 176; 211; 221; 245; 282.

The period covered in these five volumes is from the beginning of 1909 to the outbreak of war in 1914. M. Rumilly continues his general procedure of writing a chronological narrative. His chronicle takes in events in the political, economic, and ecclesiastical fields as they occur, and they are frequently all mixed up in one

chapter. While each volume has a title, it is apt to deal with a great many subjects besides that which the title indicates, and there often seems no very good reason why a volume should end when it does, except that the author has written the requisite number of pages to make another volume.

Nevertheless M. Rumilly, as in his previous volumes, provides a very lively and readable story. He gives, what English-Canadian historians seldom give, vivid personal pictures of all the leading characters, and of hosts of secondary characters as well. In fact his pages are so crowded with individuals as to become somewhat confusing at times to the English reader who has not the native Quebec interest in everyone whose name appeared in the newspapers during these years. He is excited over the political and ecclesiastical struggles of the day—excitement is something which English-Canadian historians seldom seem to experience—and the reader cannot help catching some of this feeling. He is cynical and depressed about the combines and financial manipulations of the business leaders. Above all, he weaves together very skilfully the political party struggles, the ecclesiastical differences among various churchmen, and the machinations of big business, to bring out the complex pattern of pre-war Quebec.

The central theme of these five volumes is the nationalist movement led by M. Henri Bourassa. If the volumes were named in accordance with the amount of space which they devote to any topic and the intensity of interest which they show in it, every volume would be entitled Bourassa. The author writes about the Bourassa movement from the inside. He concludes Volume XVIII with the statement: "Dans la vie du peuple canadien-français, les deux tendances, la conciliatrice incarnée par Laurier et l'intransigeante représentée par les nationalistes, se mêlent forcément, à doses variables, selon les événements extérieurs." But his history is no balanced account of the struggle between these two tendencies. Bourassa is the hero whose exploits are told with admiration. About Laurier the author writes coldly for the most part, though after the defeat of 1911 he refers more than once to Laurier's fine qualities and his essential nobility; but there is practically no admission that what Laurier was trying to accomplish had something fine and noble about it. It is the Bourassa meetings and the Bourassa speeches which arouse the author's enthusiasm, and every one of them must be chronicled in these pages, with an account of who was on the platform and how the audience behaved. It is M. Bourassa's self-imposed task of the moral regeneration of the people of Quebec to which the author always comes back from other topics; and his bitter disappointment over the betrayal of nationalism after 1911 by the men whom Quebec elected to defend it in parliament is unconcealed. After the glories of the campaigns of 1909-11 the anti-climax of the years of the Borden régime produces in the author almost the tragic pathos which Thucydides conveys to us on the defeat of the Sicilian expedition.

This is what makes M. Rumilly's volumes valuable to all students of Canadian history. We have needed a full account of M. Bourassa's political career written from a sympathetic point of view. For M. Bourassa has been one of our outstanding Canadians. He compelled his fellow Canadians to face up to problems which most of them would have preferred to sidestep in the days of the great boom, he raised the intellectual standards of Canadian political debate. In fact with his wide knowledge of political movements and intellectual trends in the world at large, and his constant practice of connecting Canadian events with world events, he may almost be said to have been our first fully adult Canadian in the political field.

M. Rumilly also makes clear what were the weaknesses of his hero. By

refusing to take the responsibility of the political leadership of his movement in parliament after 1911, he left it to futility and demoralization. By his passionate emotional appeals to the younger generation he produced a movement which was disciplined by none of his own severe intellectual standards; and the wider Canadian nationalism which he preached was too easily swamped by the narrower racial nationalism of Quebec. In fact the very appeals to Quebec's particular interests in the school cases made almost impossible the co-operation of French and English upon which the wider nationalism depended. M. Rumilly also slips in enough quotations from French-Canadian liberal newspapers to show that he is aware of the force of their criticism that the inevitable result of the nationalist movement was to isolate Quebec and to leave her almost without friends when she needed them most in 1917.

An English Canadian who has doubts whether the Bourassa type of French-Canadian nationalism represented the best way for Quebec to achieve self-respect in the Canadian Confederation and to protect the interests of French Canadians all across the country will not have his doubts lessened by reading these pages. And a mere sceptical political scientist who has doubts about the whole thesis upon which M. Rumilly's history is based—the conception of a people with a particular mission to fulfil—will certainly have his doubts confirmed when he observes how much bitter passion seems to be involved in keeping a people strung up to the tension necessary to the fulfilment of its mission, and how easily it backslides into apathy.

In his enthusiasm for his theme M. Rumilly also allows himself at times a certain careless inaccuracy when referring to the outer barbarians in English-speaking Canada. Thus he speaks of the Pools on the prairie as early as 1911, refers several times to the "cowboys" of Manitoba (meaning the wheat-farmers), and seemingly places Sir Thomas White among the family-compact Tories of Toronto. But these are minor blemishes. One looks forward to his account of the tragic years of World War I.

FRANK H. UNDERHILL

The University of Toronto.

*The Old Architecture of Quebec: A Study of the Buildings Erected in New France from the Earliest Explorers to the Middle of the Nineteenth Century.* By RAMSAY TRAQUAIR. Toronto: Macmillan Company of Canada. 1947. Pp. xx, 324. (\$10.00)

PROFESSOR RAMSAY TRAQUAIR retired from the chair of architecture at McGill University in 1938. Since that date he appears to have assembled the results of twenty-five years research on early buildings of French Canada into this one monumental work. The flyleaf of the cover does not exaggerate when it calls this book "A collector's item and a treasure-house of information on early Canadian architecture." The illustrations are particularly fine and well chosen. They include such old friends as the prints of Rich'd ("Drawn on the Spot") Short, also many careful plans and elevations by architectural students of McGill, besides excellent photographs. Of these photographs, many are of buildings that have since perished. We are indebted to the Canadian Social Science Research Council who "sponsored" the publication in this elegant manner.

Some 135 pages and about 90 photographs and drawings are devoted to the earliest habitations and missions, the cottages, manors, presbyteries, mills, and

public buildings. Thirty pages and about thirty photographs and drawings are devoted to churches. Some 105 pages and about 100 photographs and drawings are devoted to ecclesiastical woodwork. There is a list with short biographies of 101 architects and wood sculptors who practised in Quebec before 1850 and a comprehensive bibliography of all books and articles published on the buildings of Quebec. The book is also efficiently indexed.

Prior to the publication of this work the most comprehensive publications on early French-Canadian buildings were two books by P.-G. Roy, now out of print, published in French and English by La Commission des Monuments Historiques de la Province de Québec. These were *Old Churches of Quebec 1647-1800* and *Old Manors, Old Houses*. They are very fully illustrated but the interest of the author was chiefly historical and anecdotal and his description of buildings therefore tends to be superficial. Professor Traquair is an architect and is far from superficial. "The walls are carried up to just two feet above the first floor. Here they finish with a double wall plate, two six inch square beams, one on each side of the wall, connected at intervals by dovetailed cross pieces. On this the roof is framed, the foot of the truss being tenoned onto the outer plate, with a strut to the inner. The sills of the small dormer windows rest on the wall plate. This is the usual French construction."

Professor Traquair is happiest perhaps in his description of the early Quebec cottage with its ground floor divided into two unequal rooms, the summer room and the winter room. "The winter room is used in the summer only as a state room in which to receive a distinguished visitor, but in which the family live during the cold months. This room is elaborately furnished. The floors are painted yellow and covered with gaily coloured 'catalogne' carpets and hooked rugs. The walls are hung with religious pictures and family photographs, against them are great chests of drawers in which are laid away the garments of ceremony. The windows have lace curtains. The raftered ceiling is often painted blue, and at one end, in the place of the old fireplace, stands a brightly polished stove. All through the summer this room is kept carefully darkened, the windows filled with bright blue paper which gives a most brilliant effect from the outside as well as preserving the carpets from fading."

He quotes from old sources including account books with good effect and without tiresomeness. The foot-notes are not obtrusive. No references are made in the text to the illustrations, presumably to preserve continuity, but a very complete index to them in large type is supplied at the back. This at first is hard to get used to, but without doubt the book as a whole is a masterpiece of research and descriptive effort.

It is, however, in our opinion, open to one criticism. It lacks critical stylistic or design analysis. It is too purely descriptive. There is no attempt to discuss origins of style, to make comparisons with the work of Spanish Colonials, or to assess artistic merit. The author does say on page 1 that "to work out the precise relationship between the architecture of New France and that of the Mother Country would be a study of interest but of considerable difficulty. . . . The early settlers brought with them the simple building methods of the French countryside, the only methods they knew, these they adopted to suit the new climate and the new living conditions of North America. So rose an architecture whose roots were French but whose blossom was Canadian." This is a satisfactory basis for an appreciation of the cottages and manors of Quebec, but it is not a sufficient basis for an appreciation of the definite artistic styles of the ecclesiastical

wood carving. One looks in vain throughout the whole book for any elaboration of the one statement (p. 2) "this wood carving is one of the most brilliant artistic achievements of North America."

The carved wooden retables, grades, tabernacles, and "firepots" which surround the altars of these early churches are from the beginning to the end in a rococo style. This style was short lived in France. Its origins lie in the wilful whimsies of an utterly worldly French court. It may have been gracious and playful. But it was "a rich man's whim," amoral, and wondrous inappropriate amid the snow, wolves, and Iroquois when erected to the Glory of God and the edification of simple, poor, largely illiterate colonial farmers. One may admire the amount of carved detail and the excellence of craftsmanship; one may sympathize with reasons for conservatism; one may be amazed that such work was done at all. But the obvious faults in scale, the relative lack of success in bas-relief sculpture, the overdecoration of surface, the reliance upon all over all gilding, do these not indicate that the wood sculptors gave themselves in their choice of style a problem beyond solution? Can one truly say that this woodcarving is a "most brilliant artistic achievement?" The reviewer would have been grateful if the author had allowed himself greater expression of opinion.

ANTHONY ADAMSON

The University of Toronto.

*Algonquin Story.* By AUDREY SAUNDERS. Toronto: Department of Lands and Forests. 1947. Pp. vi, 196. (\$2.00)

THIS is the story of the Algonquin Provincial Park area from the time of Champlain, through the period after 1818 when it was being explored for transportation routes, through the period of exploitation by lumber companies (after which the intention was to open it to settlement), to the time when it was set apart for forest and game preservation and as a place where people might recapture the values lost in the nervous strain of living in our cities.

The book is the result of a thorough study of the area. The author has consulted all the official sources; she has been at pains to describe minutely life in the camboose camps of the lumbering days, much of her information, which might easily have been lost had it not been collected at this time, coming from those who took part in the activities described. She tells of the trappers; of the changes made by the coming of the railways; and, finally, having come to know the present rangers and older residents, she has learned first-hand from them of many occurrences not recorded in departmental reports. She tells of the problem of protecting wild life, of the hotels and the summer camps, and of the artists who are so closely associated with the Park, Tom Thomson being the most noted. The book, incidentally, has many attractive reproductions of photographs and of Thomson's paintings in colour; and readers will like the five maps of the area included with the book. It is evident that the Park has cast its spell on Miss Saunders, and she has the gift of communicating to the reader her enthusiasm for all that the Park means to her.

Parts of the book are written in an unnecessarily colloquial style, and the proof-reading has not been too well done. On the whole, however, *Algonquin Story* is well worth while, both as a piece of local history, and as an interesting and accurate account of a far-sighted and valuable government project.

GEORGE W. SPRAGGE

Toronto.



*To Master—A Long Goodnight: The Story of Uncle Tom, a Historical Narrative.*  
By BRION GYSIN. New York: Creative Age Press [Toronto: McClelland  
and Stewart]. 1946. Pp. 276. (\$3.75)

THE story of Josiah Henson, first told in his autobiography and so often retold in newspaper and magazine articles, has become almost a legend. Because he gave some measure of information to Mrs. Harriet Beecher Stowe which she incorporated in her immortal book, it is a widespread belief that Henson was the original of "Uncle Tom" and to some people he has appeared to be almost as important in the composition of the book as the authoress herself.

The reviewer's own studies in the field of Negro history in Canada long ago convinced him that the place of Josiah Henson in the annals of his race was much exaggerated and that instead of being the eminent leader which he was pictured to be, he had actually made little practical contribution to the welfare of his people, certainly less than a number of his contemporaries whose achievements never became widely known.

Mr. Gysin, while treating Henson in an entirely sympathetic manner, has, in large part, corroborated the opinion expressed above, and he has gone further in advancing the thesis that Henson was the prototype of all that is meant today by the phrase "a good nigger," the "Yes, massa" type, a racial relationship that demands constant compromise as the price of legitimate social and economic demands. "Behind the Uncle Tom disguise," says the author, "is a dangerous man who leads his people nowhere."

Henson loved the limelight and he attained it in plenty. He was lionized in England, he was received by Queen Victoria, and his autobiography went into successive editions in the United States, England, and Canada. Yet his business enterprises were failures, his much publicized manual training school had but a brief existence, and, while he posed as a leader of his people in Canada, his influence was actually only local. In the latter respect Henry Bibb's activities at Windsor were probably quite as important.

Mr. Gysin's book is interestingly written. He is apparently unaware that as early as 1793 legislation in Upper Canada provided for the gradual ending of slavery. The province was free of the institution long before the Imperial legislation of 1833. In the reviewer's opinion, the book has too much speculation as to the connexion of the Negroes in Canada with John Brown's Chatham convention in 1858 and the events of the next year at Harper's Ferry. There are several useful appendices and a bibliography.

FRED LANDON

The University of Western Ontario.

*The John Strachan Letter Book, 1812-1834.* Edited with an introduction and notes by GEORGE W. SPRAGGE. Toronto: Ontario Historical Society. 1946. Pp. xxxiv, 279. (\$5.00)

ALTHOUGH the contents of one of the series of Strachan letter-books here reproduced represents "somewhat less than five per cent. of the Strachan material in the possession of the Ontario Archives," the editor is right in reminding us that, while we have only a fragment of Strachan's voluminous correspondence, these letters possess an interest and value out of proportion to their number. In the first place, the letter-books contain correspondence to which the writer attached sufficient importance to preserve draughts or copies; in the second place, the period



covered is significant, not only in Canadian history as a whole, but also in the story of Strachan's own development.

Probably the largest space is taken up with matters political, and particularly with the conduct of the war with the United States. Throughout, the Rector of York was the ardent champion of vigorous military action, although his hopes were usually disappointed, and the determined enemy of what would be called "appeasement." His opinion of his neighbours being what it was—"this new nation are vain and rapacious and without honour—they are hurried on to any action provided they gain money by it"—his fears were rather confirmed by the war than created by it.

Next in prominence is the question of education. These letters are of particular interest because they show how Strachan first presented his scheme for the schools and for the university in Canada—the latter to be modelled rather on the Scottish and German universities than on the English. Here we find clearly illustrated how Strachan's firm confidence in the necessity of "establishment" not only coloured deeply his whole educational policy, but also made that policy appear strange and unwholesome to a later generation for whom the principle of "non-sectarian education" was axiomatic. When allowance is made for Strachan's attitude in this matter, there is little evidence in these letters of the "narrowness" and "intolerance" of which he has been so freely accused.

Similarly, his attitude toward the other Christian bodies was largely determined by his view of "establishment" and a sound social order. "It does not seem expedient for Government to countenance or assist any denomination of Christians beyond the established Church except the Church of Scotland and the Church of Rome." That he did not rely simply upon official patronage to recommend the Church is shown by his insistence upon a strong Canadian ministry, and his desire for a numerous and hard-working clergy. With Bishop Mountain his relations were correct rather than cordial, and in a letter to Charles Stewart he expressed his own ideas of the Bishop's chief weakness: "It cannot however be concealed that his habits and manners were calculated rather for an English Bishop than the Missionary Bishop of Canada. We want a primitive Bishop who will go round the country preach the Gospel to the people stir up a religious spirit among them . . . [who] will encourage his Clergy by frequent and liberal communications with them . . . and give them an example of attention to duty combined with learning and moderation."

The editor has simplified the task of studying the letters by a valuable introduction and some forty pages of useful notes.

W. LYNDON SMITH

Trinity College.

*Jacob Mountain, First Lord Bishop of Quebec: A Study in Church and State, 1793-1825.* By THOMAS R. MILLMAN. (University of Toronto Studies, History and Economics Series, vol. X.) Toronto: University of Toronto Press. 1947. Pp. viii, 320. (\$4.00)

THIS is a scholarly account of the life of the first Lord Bishop of Quebec and of the Church in Canada during his episcopate. It also well illustrates his hopeless task: that of organizing and endowing a dominant church, the church of a minority of the population, in a new land where people were fundamentally opposed to such an institution.

The account of the first years of the Church of England in Canada is a sad story. Mountain's appointment to the bishopric in 1793 came at a time when it still seemed possible that the earlier avowed policy of the British government to establish the Church of England "both in Principles and Practice" seemed capable of fulfilment. But the government, without definitely changing its policy, always found some excuse why it was not, at the particular time, "expedient," why it was never "the opportune time," to proceed with the Church's establishment. Unfortunately "when Portland was replaced, when Pitt died, when Roman Catholic opposition hardened . . . [Mountain] found it difficult to adjust himself to realities and continued to dream of an Establishment which was never to have a substantial existence."

From the point of view of the Church of England, the Canadas at the end of the eighteenth century presented "a gloomy picture of religious destitution." But the fault lay in the Church. Clergy could not be got to come to the colony, and the laity, accustomed to dependence on government for their religious ministrations, provided no salaries. Dr. Millman stresses the advances that were made during Mountain's term of office. The increase in the number of clergy and of churches seems, however, to have been due chiefly to the work of the Society for the Propagation of the Gospel, to the grants received by that Society from the British government, and to generous gifts made by individuals in England.

Much space is devoted to accounts of the various episcopal visitations, of the building of churches, and of the clergy stationed in these early days at the various Church of England missions. It is characteristic of Mountain's concentration on his problems in Quebec that he did not visit the western boundary of his diocese (the Detroit River) until 1816. Dr. Millman's painstaking and detailed descriptions of these matters will be of much interest to all who are concerned with the early days of the Church of England in Canada.

With regard to Jacob Mountain's character and achievements the author maintains that "if he had come to the Canadas simply as a missionary bishop . . . then his record, in a few respects, might be viewed with some impatience. But when it is clearly grasped that he came as an eighteenth century bishop, to vitalize a well-meant, but unworkable ecclesiastical policy, then his conduct appears coherent and correct, and he himself emerges as a man of stern loyalties, inflexible determination, unfailing resource, and outstanding ability." Whether Dr. Millman has succeeded in making good his case must be left to the reader's judgment. To this reviewer Dr. Millman's arguments, though ingenious, are unconvincing. No one would wish to belittle the Bishop's many good qualities, but other qualities necessary for a man in his position at that particular time he lacked; and he still remains, as Professor Young dubbed him, "the egregious bishop"—an unfortunate choice as the first bishop of the Church in the Canadas.

Whether or not one agrees with Dr. Millman's estimate of Mountain, however, one must admire the thoroughness of the author's research. He can have omitted few, if any, sources which it was possible to consult. Particularly valuable is his contribution on the question of church establishment. Mountain, Strachan, and others, so frequently accused of seeking special privileges for the Church of England, were but carrying out what they had every reason to believe was British policy. On the whole this book is an important contribution to the history of the Church of England in Canada.

GEORGE W. SPRAGGE

Toronto.

*Adam Beck and the Ontario Hydro.* By W. R. PLEWMAN. Toronto: Ryerson Press. 1947. Pp. xxii, 494. (\$5.00)

MR. W. R. PLEWMAN in his book *Adam Beck and the Ontario Hydro* has made a very valuable contribution to the economic and political history of Canada. In it he dovetails a sympathetic biography of a very distinguished Canadian public figure with an interesting account of the inception and remarkable growth of one of the most fruitful experiments in public ownership on this continent. Born in 1857 at Baden in Waterloo County, the son of two immigrants from Germany, Adam Beck, whom Mr. Plewman, although a fervent admirer of his hero, limns with an impartial brush, warts and all, had most of the virtues and some of the outstanding faults of his race. He combined an authoritarian temperament, which took unkindly to opposition and caused him to distrust his closest associates and attribute dishonest or selfseeking motives to anybody differing from him, with a strong vein of idealism and sentimentality. Industrious, efficient, and bold both in the conception and execution of his plans, he was a born organizer who did not hesitate to use highhanded and even brutal methods for surmounting obstacles, and who, while having few gifts for friendship, had the capacity for winning converts to his views and gathering a band of loyal supporters for his schemes.

He was no Socialist, although his enemies attached this label to him, and his views upon many national and international problems were circumscribed. But he was a very uncommon type of successful business man, who, having acquired a comfortable fortune at the age of forty, elected to enter politics and devote his marked business abilities to the improvement of the material lot of his fellow citizens. The great monument of his public career, which lasted twenty-seven years until his death in 1925, is the "Hydro" and through it he achieved his meritorious ambition to lessen human drudgery for the people of Ontario by providing them with an abundant supply of cheap light and power for their homes, their stores, and their factories. The people of London, Ont., for whom he procured a reliable supply of good water and the victims of tuberculosis were also the beneficiaries of his public spirit and organizing abilities. In politics the harness of party sat lightly upon him and it was a tribute to the confidence reposed in him by the general public that when a Farmer-Laborite coalition won a majority in the Ontario legislature in 1919, they offered Beck, officially a Conservative, the premiership of Ontario which he refused.

It was inevitable that such an eccentric politician and radical crusader should have his detractors, who laid many charges at his door, but on the evidence of Mr. Plewman's narrative Beck fully deserved the eulogy of Mr. Dymond, the chief law clerk of the Ontario legislature, who said after Beck's death that his entry to the legislature in 1898 was like "a refreshing gale in the fetid atmosphere of provincial politics." Mr. Plewman would have avoided the charge of a lapse from good taste, if he had refrained from any detailed disclosure of Sir Adam's violent quarrels with his daughter, Marion, and it is a strange slip for so careful a writer to give the maiden name of Lilian McGiverin instead of the proper one, Lilian Stimson, to Sir Adam's mother-in-law. But these are small flaws in an otherwise admirable book.

J. A. STEVENSON

Ottawa.

*The Rise of Toronto, 1850-1890.* By D. C. MASTERS. Toronto: University of Toronto Press. 1947. Pp. xii, 239. (\$3.75)

THE bibliography on the history of the city of Toronto is now quite extensive, and Dr. Masters's aim in this book is to present a scholarly account of the rise of Toronto to metropolitan status. Although indebted to the numerous antiquarians and historians who had earlier done most of the spade work, he has supplemented their writings from a variety of sources not previously used; but the reader must look elsewhere for the mass of pictorial and other illustrative material that adds so much colour to the recital of facts.

When Lieutenant-Governor John Graves Simcoe arrived to establish the capital in the summer of 1793 he brought with him a small group of men whom he immediately appointed to public office. These gentlemen, and others who arrived soon afterwards with similar pretensions to that famous *sine qua non* of the nineteenth century—"respectability"—were speedily granted most of the best land in and around the townsite and became the core of the settlement. Dr. Masters follows many of these families through the next century, traces the influence of their wealth and personality upon the city's growth, and describes the gradual fusion of their descendants with the more successful of the industrial capitalists, most of whom arrived later and were never quite accepted in the "best" circles. Their lives combined the pursuit of wealth, pleasure, and social exclusiveness, and their fondest hopes centred about the freezing of the *status quo*.

In attitude, and usually in political faith as well, these families were, in fact, more Tory than the king, in religion more Anglican than the Archbishop of Canterbury. An English traveller observed that there was no place for the poor in St. James Church, but that special isolated pews accommodated the lieutenant-governor, the chief justice, and the military. It was, says Dr. Masters, "the spectacle of the Tory party at prayer." At the other end of the social scale—but no less Tory—were the Orangemen, strongly anti-French and anti-Roman Catholic; and but few of the population, whether Tory or not, could stand "Yankees." Yet there were in Toronto many non-conformists and many Roman Catholics, and in times of economic depression particularly, the Tories could be defeated by the Reformers. Among better characteristics, the city still retains that which occasionally enables it to render itself ridiculous, and Dr. Masters tells us why.

Economically, it was a race with Montreal for the control of transportation, banking, and industrial life generally, and no other book has co-ordinated so much material on this important aspect of Toronto's history. There were slums and festering sores in the city as there are today, but there is no evidence that the wealthy were entirely unsympathetic: it was only that they accepted the Biblical injunction, "The poor ye have always with you," for a little more than it is worth. Some of the rich, notably Jesse Ketchum and William McMaster, would rank high in public spirit in any company, even if "radical" philosophers might question the merits of the way of life which apportioned to them the means to be so charitable.

As the pre-eminence of Toronto is due largely to its fine natural harbour it is unfortunate that Dr. Masters omitted almost all reference to its development. His treatment of public utilities like the water supply and local transportation facilities is also inadequate. The map of provincial railway development (p. 179) is poor and should have been redrawn. The author's style, however, if not colourful, is frequently pungent; though the continual repetition of the word "hinterland" (it occurs four times in thirteen lines on page 210 alone) is a little jarring. The word "obsequy" (p. 200) should be "obituary," "town" (p. 77) should be "tour,"

and "face" (p. 188) should be "force." Besides a few typographical errors there are others of historical fact and in the spelling of proper names, but restricted space limits mention to two: The *Upper Canada Gazette* was removed to York in 1798, not established there (as stated on p. 48); and "Cowper's" house on "Duke" Street (p. 42) should be "Cooper's" on "George" Street.

We note with interest that the author plans to produce a second volume on the development of Toronto since 1890. Such a work would be of great value, and we believe it would be equally acceptable to produce a third on the earliest period, 1793-1850. It appears somewhat arbitrary to take 1850 as the beginning of the rise of Toronto; actually all of the city's characteristics were well-established years earlier. There is a place for chronological history as well as topical, and though the topical treatment is easier to read and lends itself more readily to colourful detail, the chronological has obvious advantages in co-ordination. Dr. Masters has, in a relatively short book, competently analysed the political, economic, social, and cultural aspects of Toronto's history, and their impact upon the Canadian nation.

EDWIN C. GUILLET

Toronto.

*Readings in European Economic History.* Edited with an introduction by KARL F HELLEINER. Toronto: University of Toronto Press. 1946. Pp. x, 437. (\$4.75

THIS unpretentious volume was prepared, as its author explains, to meet an emergency. It provides excerpts from seven writers who have made original and lasting contributions to the economic history of Europe. It was produced to meet the difficulties experienced by students who, owing to the pressure on our publishers and libraries, could not obtain access to standard works.

It certainly fulfils its purpose. In one short volume, Mr. Helleiner has given lengthy passages from Marc Bloch, Eileen Power, R. H. Tawney, George Unwin, J. U. Nef, E. F. Heckscher, and Paul Mantoux. They are a brilliant coterie. These excerpts not only introduce the student to a group of very distinguished writers; they also serve to remind the general public how lively and important have been the contributions made in the field of economic history in recent years. It is no small tribute to Mr. Helleiner's brief introduction to say that it is in the same tradition of sound scholarship as the rest.

Ample space is given to the Middle Ages. There are two contributions dealing with them, both describing agrarian conditions. It might have been better to include one describing the growth of town life, possibly from the writings of Pirenne. Similarly, much space is devoted in the introduction to colonization in the twelfth and thirteenth centuries. This is, indeed, excellently treated and it was not, until recently, very well known. But this also is largely agrarian history.

Mr. Helleiner could hardly avoid these consequences of rigorous selection and compression. The latter has caused one or two questionable statements, such as that rural prosperity was already waning in twelfth-century England (p. 10). But Mr. Helleiner writes in the best traditions of the economic historian, with a fine sense of historic change. It is to be hoped that one day he will expand his little introduction into a general survey. Then he could really give us "some dim outlines of the whole picture." Until then, teachers of economic history will be grateful for the help which he has given them in this very useful book.

BERTIE WILKINSON

The University of Toronto.

*The Saskatchewan Wheat Pool: Its Origin, Organization and Progress, 1924-1935.*  
By S. W. YATES. Edited with a prefatory note by ARTHUR S. MORTON.  
Saskatoon: United Farmers of Canada. 1947. Pp. 218.

Too violent a reaction against the "great man" theory of history has left students of North American agrarianism with too little awareness of the personal element in agrarian leadership. The common abstract portrayal of "the farmer" as being in constant valiant struggle with his oppressors reserves for those oppressors the subtle compliment to skill and intelligence implicit in the premise that "the thief makes the opportunity." So far as the farmer's activities in the matter are concerned, the assumption is apparently transformed into the unflattering maxim that "opportunity makes the thief"—i.e. the farm leader.

Mr. Yates's narrative is built around farm leaders and its chief value derives from the light which it throws upon them individually. Since many characters appear in the course of a comparatively small volume far too little space could be allotted to each, except for Aaron Sapiro who appears often and always dramatically. In fact it would scarcely be unfair to suggest that Mr. Yates uses the plight of prairie farmers as a plot, and a long list of prairie farm leaders as supporting cast, for the star performance of "the prophet," the "small, lithe, dark, electric Jewish orator, who was received with the utmost enthusiasm" (p. 78). Mr. Yates as an employee of Saskatchewan farmers' organizations for twenty-five years knew farm leaders well, and even as supporting cast they reveal much about themselves.

Mr. Yates's analysis establishes two features of prairie agrarianism which merit additional study: first, the extent and persistence of internal dissension within the movement and secondly, the powerful strain of evangelism which has characterized it. The quarrels were not all with "the grain trade" or "the concentrated press." "In the month of June, 1929, for the fifth time, the prophet [Sapiro] appeared . . . to find the work of four years in the cause of unity in ruins at his feet" (p. 140). This sentence offers a commentary on internal dissension and indicates Mr. Yates's characterization of Sapiro. In the first sentence in the body of the book Sapiro is "a missionary with . . . a new economic gospel." From then on he is a prophet whose "coming" is anticipated, who "makes his appearance" and whose final "message" brought "not peace but a sword." Students of prairie agrarianism will know that the note struck by these phrases is authentic. H. W. Wood was called the Moses of the Alberta farmers and some may recall his description in *Toronto Saturday Night* in 1927 as "a strange figure, something of a mystic, something of an evangelist, something of the prophet." Canadian agrarianism had other prophets besides those who came from California or Missouri.

V. C. FOWKE

The University of Saskatchewan.

Saskatchewan, Province of. *First Report of the Saskatchewan Archives for the Period April 1, 1945 to May 31, 1946.* Regina. 1946. Pp. 37.

THIS bright pamphlet with its green and white cover does not look like the conventional archives report. However, the contents show that Saskatchewan has taken a major step forward in providing for the preservation of government documents of lasting value and for the controlled destruction of useless records. This report is divided into three sections: a clear statement of the nature and use of archives, a history of the public archives of the province, and an account of the



year's operations. The Archives Act and general regulations of the office complete the report. The Archives Act, assented to in 1945, sets up the University of Saskatchewan as the custodian of all public documents transferred to the archives. The archivist is appointed by the board of governors of the University. General supervision is put under a board of five members appointed in various ways.

JAMES J. TALMAN

The University of Western Ontario.

*Haida*. By WILLIAM SCLATER. With an introduction by the Right Honourable A. V. ALEXANDER. With twenty-four drawings in colour by GRANT MACDONALD. Toronto: Oxford University Press. 1946. Pp. xvi, 221. (\$4.50)

It has been a curious fact in this nation's past that Canadians, ever prepared to make a prodigious effort in time of war, have had comparatively little to say about it afterwards. Although this national reticence has been less marked since the end of the second world conflict, Canadians still do not write so readily about their military exploits as do the Americans or British; and books like *Haida* are accordingly most welcome.

A Tribal Class destroyer, the *Haida* was commissioned in August, 1943, beginning her operational career with the Murmansk convoy. In January, 1944, the *Haida* joined the Tenth Destroyer Flotilla based on Plymouth, and here, during the succeeding months before and after Operation Neptune, she earned one of the most distinguished reputations in the Commonwealth Navies. Lieutenant-Commander Sclater had a fine story to tell, and in the main he does justice to his subject. He writes with a certain restraint that is not always found in books of this kind; and he keeps in mind that the lay reader is little acquainted with the baffling intricacy of the modern warship, which he takes pains to explain when the occasion demands it.

It is perhaps advisable not to ask too much of a book like *Haida*. The author's chief intention was to pay tribute to a gallant ship's company in Canada's Navy. *Haida* is thus primarily the story of a ship, and any account of the strategic operations in which she was but a unit is necessarily although not unduly subordinated to the *Haida's* activities. Even if Lieutenant-Commander Sclater is something less than a C. S. Forester, we should be thankful for this permanent record of a significant and dramatic episode in Canada's naval war, especially since it is not likely that too much will be written in this field.

One criticism, however, might be ventured. *Haida* falls pretty much into what might be called the "fine body of men" school of military writing; and to be told more about the Canadian fighting man than the well-established fact that he is possessed of fortitude and bravery would perhaps be both instructive and more convincing. Canadians might like to know whether their fighting men, as members of a free society, accept without question the alien hierarchy of military life. Do Canada's sailors reflect upon the society for which they fight? And as a generation, unfamiliar with the British Isles, do they look upon the British people as their fathers did? Difficult as these matters are to assess, some questions of this kind could well be asked.

DAVID SPRING

The University of Toronto.



## RECENT PUBLICATIONS RELATING TO CANADA

PREPARED BY THE EDITORIAL OFFICE OF THE UNIVERSITY OF TORONTO PRESS

(Notice in this bibliography does not preclude a later and more extended review. The following abbreviations are used: B.R.H.—Bulletin des recherches historiques; C.H.R.—CANADIAN HISTORICAL REVIEW; C.J.E.P.S.—Canadian journal of economics and political science.)

### I. THE RELATIONS OF CANADA WITHIN THE COMMONWEALTH

ALANBROOKE, Viscount. *Commonwealth security* (Commonwealth and Empire review, LXXX (519), Dec., 1946, 23-6).

ALLEN, JAMES G. *Editorial opinion in the contemporary British Commonwealth and Empire*. (University of Colorado Studies; Series C, Studies in the Social Sciences, vol. 1, no. 4.) Boulder, Colorado: University of Colorado. 1946. Pp. xxii, 297-605. (\$1.00; bound copies, \$2.00) To be reviewed later.

BENNETT, WALTER H. (ed.). *The British Commonwealth of Nations: A symposium* (Journal of politics, IX (2), May, 1947, 197-54). Includes articles on "Government by Consultation in the British Commonwealth" by Eugene P. Chase, "The Rise of a Canadian Diplomatic Service" by H. Gordon Skilling, "Reconversion in Australia and New Zealand" by Leslie Lipson, and "Social Democracy in the British Commonwealth" by W. Hardy Wickwar.

HODSON, H. V. *Nationalism in the British Empire* (United Empire, XXXVIII (4), July-Aug., 1947, 167-73). The author believes that there is in prospect a new kind of Empire association made up of a highly complex fabric of institutions, arrangements, and contacts which will admit and embrace nationalism but will also transcend it.

MACDONALD, DONALD C. *Evolution of Empire: Britain's plans for her colonies*. (Behind the Headlines series, VII (5).) Toronto: Canadian Association for Adult Education; Canadian Institute of International Affairs. 1947. Pp. 20. (15c.)

SCOTT, DAVID. *Method in madness of Empire shuffle* (Saturday night, LXII (48), Aug. 2, 1947, 6). The author believes that Britain's "empire liquidation" programme is based on carefully worked out lines that will lead to east and central Africa and Australia becoming the strongholds of British world power in the post-war era.

SFENDER, P. C. *The British Empire in a changing world* (United Empire, XXXVIII (5), Sept.-Oct., 1947, 223-7). The author believes that the British Commonwealth is the safest foundation upon which to build world peace.

### II. CANADA'S INTERNATIONAL RELATIONS

DUNCAN, LEWIS. *Towards a Canadian foreign policy* (Canadian forum, XXVII (320), Sept., 1947, 130-2; XXVII (321), Oct., 1947, 158-9). If the foreign policy of Canada is to reflect the needs and growing desire of the people, it will be a vibrant policy working publicly and unceasingly for the political union of the peoples of the world under parliamentary institutions.

GRAYDON, GORDON. *Canada deepens her roots in the soil of world affairs* (International journal, II (4), autumn, 1947, 316-24). During the last thirty-three years, Canada has risen from a relatively inferior international status to a level approaching that of major world importance.

MASSEY, VINCENT. *Should Canada join the Pan-American union?* (Maclean's magazine, LX (16), Aug. 15, 1947, 22, 44-7). The author answers this question in the negative because Canada is a nation of the north rather than of the west.

PATRY, ANDRÉ. *Le service consulaire du Canada* (Revue Dominicaine, LIII (2), nov., 1947, 230-6).

SKILLING, H. GORDON. *Canada's foreign trade service* (International journal, II (4), autumn, 1947, 325-37).

### III. CANADA, THE WAR, AND RECONSTRUCTION

CRERAR, H. D. G. *War is a prospect Canada must face* (Maclean's magazine, LX (14), July 15, 1947, 7-8, 30-1, 33, 35). "In the circumstances of today and tomorrow the possession of force, not the lack of it, is the surest guarantee of peace to those countries which desire to preserve it."

MURRAY, W. W. *Paeans and questions about Passchendaele* (Saturday night, LXIII (9), Nov. 1, 1947, 11). The author questions whether the high casualty price of Passchendaele, taken by the Canadian corps in 1917, was militarily worth the objective.

NADEAU, EUGÈNE. *La perle au fond du gouffre: "Zam-Zam" et Barbelés*. Montréal: Fides. 1947. Pp. 306. (\$1.50) A moving account of four years spent in German prisoner-of-war camps by seventeen French-Canadian and Franco-American missionaries, captured by the Nazis at the sinking of the Zam-Zam.

PETERSON, S. G. *The only Canadian Heavy A.A. Regiment* (Canadian military journal, XV (5), July, 1947, 11-14). Deals with the activities in the recent war of Canada's only Heavy Anti Aircraft Regiment.

STACEY, C. P. *Les Canadiens dans la bataille de Normandie: La participation de l'Armée canadienne aux opérations du 6 juin au 1er septembre 1944*. Avant-propos du C. FOULKES. (L'Armée canadienne à la guerre, no. 3.) Ottawa: King's Printer. 1946. Pp. 159. (25c.) The English version of this book was reviewed in the C.H.R., September, 1947, pp. 320-2.

### IV. HISTORY OF CANADA

#### (1) General History

CREIGHTON, WILLIAM BLACK. *Round 'bout sun-up: Some memories that live*. Toronto: Ryerson Press. 1946. Pp. viii, 55. (\$1.00) The late Dr. Creighton was widely known in Canada through his books and especially through his editorship, during many years, of the *Christian Guardian*. In this delightful little series of essays, he has written about his boyhood on an Ontario farm in the days when machinery was still a novelty and pioneer conditions had scarcely as yet disappeared. Deftly, but with simple and homely touches, he has etched the outlines of a community centring around home, church, and school. Not least revealing is his own philosophy—tolerant, humane, but deeply religious—which permeates the whole and was doubtless rooted in the impressions and influences of his early years. [GEORGE W. BROWN]

LIVESAY, J. F. B. *The making of a Canadian*. Edited with a memoir by FLORENCE RANDAL LIVESAY. Toronto: Ryerson Press. 1947. Pp. x, 181. (\$2.75) To be reviewed later.

McINNIS, EDGAR. *Canada: A political and social history*. New York and Toronto: Rhinehart and Company [Toronto: Clarke, Irwin and Company]. 1947. Pp. xviii, 574. (\$6.50) Reviewed on p. 434.

MINER, JACK. *Jack Miner and the birds and some things I know about nature*. (New enlarged memorial edition.) Chicago: Reilly and Lee Company [Toronto: Copp Clark Company]. [1947.] Pp. 302.

Ontario Historical Society. *Papers and records*. Vol. XXXVIII. Toronto: The Society. 1946. Pp. 108. The articles are listed separately in this bibliography.

ROSS, FRANCES AILEEN. *The land and people of Canada*. Foreword by A. R. M. LOWER. (Portraits of the Nations series.) Philadelphia and New York: J. B. Lippincott Company. 1947. Pp. vii, 128. (\$2.50) This informative and attractively produced little book contains sections on Canada's people, regions, and history.

SAUNDERS, RICHARD M. *Flashing wings*. Illustrations by TERENCE M. SHORTT. Toronto: McClelland and Stewart. 1947. Pp. x, 388. (\$4.50) This book consists of a beautifully-written series of entries from Dr. Saunder's notebooks enthusiastically recounting his experiences in bird watching in the Toronto area over a period of twelve years. It will appeal equally to ordinary bird watchers and to experienced ornithologists; and even those who regard birding with a somewhat jaundiced eye can scarcely fail, after reading all or part of *Flashing Wings*, to appreciate the philosophy of bird watching and the enjoyment to be derived therefrom. The seasonal arrangement of entries, the bird migration charts, and the Christmas bird census provide a useful and unique guide to the birds that one may expect to see at any time of the year around Toronto. The volume is attractively produced and is illustrated with admirable black and white line drawings.

UNDERHILL, FRANK H. *A Canadian philosopher-historian* (Canadian forum, XXVII (318), July, 1947, 83-4). Professor Lower's *Colony to Nation* "is the most mature and philosophical history of Canada that has yet been written."

### (2) Discovery and Exploration

MAURAUULT, Mgr OLIVIER (ed.). *Relations de voyage de Sulpiciens* (Revue d'histoire de l'Amérique française, I (1), juin, 1947, 109-12). Three extracts from descriptions of voyages from France to Canada made by Sulpiciens in 1731, 1737, and 1741.

PENN, DOROTHY (ed.). *The French in the valley*. Part VIII (Missouri historical review, XLI (4), July, 1947, 391-405).

QUAIFE, MILO M. *The Kensington myth once more* (Michigan history, XXXI (2), June, 1947, 129-61). Surveys the development of "the myth of the Kensington stone" from the discovery of the stone in 1907 to the present day, and discusses the theory's shortcomings.

### (3) New France

BERTRAND, CAMILLE. *Monsieur de la Dauversière, fondateur de Montréal et des Religieuses Hospitalières de Saint Joseph, 1597-1649*. Montréal: Les Frères des Ecoles Chrétiennes. 1947. Pp. 280.

DESROSIERS, LÉO-PAUL. *Premières missions Iroquoises* (Revue d'histoire de l'Amérique française, I (1), juin, 1947, 21-38). Extracts from a book by M. Desrosiers which will soon appear under the title *L'Iroquoisie*.

FRÉGAULT, GUY. *Un petit compagnon nommé Francois Bigot* (Revue d'histoire de l'Amérique française, I (2), sept., 1947, 171-94).

GROULX, LIONEL. *Le Gallicanisme au Canada sous Louis XIV* (Revue d'histoire de l'Amérique française, I (1), juin, 1947, 54-90).

LAPP, J. C. *Marc Lescarbot and New France* (Queen's quarterly, LIV (3), autumn 1947, 323-9). Marc Lescarbot, lawyer and adventurer who came to Canada in 1606, wrote of the new land in verse and thus deserves the title of the first poet of New France.

LIVINGOOD, JAMES WESTON. *The Philadelphia-Baltimore trade rivalry, 1780-1860*. Harrisburg: Pennsylvania Historical and Museum Commission. 1947. Pp. vii, 195. An account of the conflict between these towns for the trade of the hinterland of the Susquehanna valley. Acting on the principle that a town must create trade rather than have trade come to the commercial seat of its own accord each town fostered roads, canals, and railways in attempts to outbid its rival. [R. A. PRESTON]

MORIN, CONRAD (ed.). *Du nouveau sur le Récollet Hennepin* (Revue d'histoire de l'Amérique française, I (1), juin, 1947, 112-17). Prints some documents throwing light on the latter years of the life of Louis Hennepin who accompanied La Salle on his journey of discovery of the Mississippi.

- MORISSET, GÉRARD. *L'orfèvre Michel Levasseur* (Revue de l'Université d'Ottawa, XVII (3), juill.-sept., 1947, 339-49). Of the career of Michel Levasseur, a goldsmith who was in New France from 1699 to 1709.
- PERRAULT, J.-ALFRED. *Nicolas Perrot a-t-il tenté d'empoisonner Cavalier de La Salle?* (Revue d'histoire de l'Amérique française, I (1), juin, 1947, 49-53). The author answers this question in the negative.
- POULIOT, ADRIEN. *Tadoussac et sa vieille chapelle* (Revue d'histoire de l'Amérique française, I (1), juin, 1947, 15-20). This chapel was built in 1747 by Père Claude-Godefroi Coquart.
- ROY, LÉON. *Deux fils de Guillaume Couture à l'Île d'Orléans* (B.R.H., LV (7), juillet, 1947, 218-20).
- (4) *British North America before 1867*
- COMETTI, ELIZABETH. *Women in the American Revolution* (New England quarterly, XX (3), Sept., 1947, 329-46). The author concludes that in the American Revolution, women served the cause of independence well.
- HOULE, JEAN-PIERRE. *Le gouvernement responsable: 1848-1948* (Revue d'histoire de l'Amérique française, I (2), sept., 1947, 166-70). Deals with the constitutional aspects of the development of responsible government.
- LEECHMAN, DOUGLAS. *Moravians to Ungava* (The beaver, outfit 278, Sept., 1947, 28-31). As early as 1811 two Moravian missionaries sailed north along the Labrador coast and west to Ungava Bay, twice traversing the dangerous Grenfell's Tickle unscathed.
- SCOTT, KENNETH. *New Hampshire's part in the Penobscot expedition* (American Neptune, VII (3), July, 1947, 200-12). The Americans' unsuccessful attempt to dislodge the British from the peninsula of Majabagaduce on Penobscot Bay in 1799 proved expensive and disgraceful.
- Two Franklin documents* (The beaver, outfit 278, Sept., 1947, 46-7). Reproduces a letter from John Rae to Chief Factor John Ballenden written after the latter had returned from his journey of 1853-4 to Repulse Bay, and a copy of a poster announcing a reward offered by Lady Franklin to the whaling ships frequenting the American Arctic.
- WATER, FREDERIC F. VAN DE. *Lake Champlain and Lake George*. (American Lake series, edited by MILO M. QUAIFFE.) New York: Bobbs Merrill Company. 1946. Pp. 381. *Lake Champlain and Lake George* is popular, colourful, historical narrative bolstered by an intimate knowledge of the details culled from the sources. It covers the events which occurred in the area of the Lakes in the struggle between the occupants of the St. Lawrence area and of the Atlantic coast who used the Lakes as a route of attack. Naturally much of it (most of the first 269 pages) deals with the struggle of English and French colonists in America and with the War of 1812 between the United States and Britain. Of the remaining ninety-three pages, fourteen deal with the "smoldering border" during the period of the American Civil War. The small space given to the peaceful development of the area, dictated by the undoubted popular appeal of military events, is unfortunate but perhaps unavoidable. Although the publishers announce that with the publication of this and another book, the "American Lakes" series has enlarged its scope and become truly national (a somewhat paradoxical statement), *Lake Champlain and Lake George* is yet a part of the joint history of the United States and Canada. [R. A. PRESTON]
- WILLCOX, WILLIAM B. *British strategy in America, 1778* (Journal of modern history, XIX (2), June, 1947, 97-121). In the American revolutionary war, success in battle contributed little to strengthen the basic position of the British, partly because of factors beyond their control which curtailed their freedom of action, and partly because of the strategic ideas of their government and field commanders.

## (5) The Dominion of Canada

CLOKIE, H. McD. *Emergency powers and civil liberties* (C.J.E.P.S., XIII (3), Aug., 1947, 384-94). Discusses the doctrine of emergency powers as it affects civil liberty and offers some suggestions for future guidance.

COATS, R. H. (ed.). *Features of present-day Canada*. Annals of the American Academy of Political and Social Science, vol. CCLIII, Sept., 1947. Philadelphia. 1947. Contains twenty-six articles written by well-known Canadian scholars and grouped under the headings "National Resources," "Government and Politics," "Industry and Labour," "Finance and Trade," and "Social and Cultural Features."

EGGLESTON, WILFRID. *Are we really a nation in 1947?* (Canadian business, XX (7), July, 1947, 26-7, 102, 104-5).

FRASER, BLAIR. *Why Canadians leave home* (Maclean's magazine, LX (20), Oct. 15 1947, 7-8, 87, 89).

G., L. (ed.). *Correspondence Langevin-Audet* (Revue d'histoire de l'Amérique française, I (2), sept., 1947, 271-7). Prints some letters from Mgr Adélard Langevin, Archbishop of Saint-Boniface, Manitoba, to Alphonse Audet in Quebec. They were written between 1892 and 1912 and contain comments on politics and politicians of the times.

MCLEAN, ELIZABETH M. as told to CONSTANCE JAMES. *Our captivity ended* (The beaver, outfit 278, Sept., 1947, 38-42). The third and last instalment of 1885 reminiscences related by a daughter of Chief Trader W. J. McLean.

WARD, NORMAN. *Parliamentary representation in Canada* (C.J.E.P.S., XIII (3), Aug., 1947, 447-64). A statistical analysis of representation in the Canadian House of Commons from 1867 to the present.

YOUNG, A. P. *Canada: As seen through British eyes* (Commonwealth and Empire review, LXXXI (521), July, 1947, 62-6).

— *Canada: Land of hope* (Commonwealth and Empire review, LXXXI (520), Apr., 1947, 46-50). The author, who has recently visited Canada, gives his impressions of the country.

## V. PROVINCIAL AND LOCAL HISTORY

## (1) The Maritime Provinces

BERNARD, ANTOINE. *Choses du temps en Acadie* (Revue d'histoire de l'Amérique française, I (1), juin, 1947, 39-48). On the French minority in Acadia and the difficulties which it encounters in remaining French and Catholic in a notoriously English and Protestant milieu.

## (2) The Province of Quebec

BERNIER, PAUL. *Un grand archevêque* (Bulletin de l'Union Missionnaire du Clergé, IX (2), juin, 1947, 46-55). Mgr Jean-Marie-Rodrigue Villeneuve, archbishop of Quebec, died on January 17, 1947.

CHARLAND, THOMAS. *Un gaumiste canadien: L'abbé Alexis Pelletier* (Revue d'histoire de l'Amérique française, I (2), sept., 1947, 195-236). A biographical sketch of l'abbé Pelletier (1837-1910).

*The city of Montreal* (Monetary times, CXV (10), Oct., 1947, 28-33).

COLLARD, EDGAR ANDREW. "We have come a long way" (McGill news, XXIX (1), winter, 1947, 6-8, 42). Traces the growth of McGill University.

*Monetary Times report for 1947 on French Canada* (Monetary times, CXV (8), Aug., 1947, 47 ff.). Contains articles on Quebec's reconversion, people, agriculture, fishing, tourist industry, mining, and shipbuilding.

ROCHELEAU-ROULEAU, CORINNE. *Un vie rayonnante: Mme Henry Hamilton* (B.R.H., LV (9), sept., 1947, 259-74).

RUMILLY, ROBERT. *Quand la Société Saint-Jean-Baptiste a-t-elle été fondée?* (Revue d'histoire de l'Amérique française, I (2), sept., 1947, 237-42). This society had a virtual existence from 1834 and a more organized form from 1843.

### (3) The Province of Ontario

BOGUE, ALLAN G. *The agricultural press in Ontario in the 1880's* (Ontario Historical Society papers and records, XXXVIII, 1946, 43-9). There was an active agricultural press in Ontario throughout the eighteen-eighties, but unfortunately it was disregarded by a large proportion of the farming population.

*The city of Peterborough* (Monetary times, CXV (8), Aug., 1947, 28-32, 110). Another in the *Monetary Times's* "Cities of Canada" series.

CURRY, FREDERICK C. *The discovery of the Cave of the Winds* (Ontario Historical Society papers and records, XXXVIII, 1946, 19-22). Available evidence indicates that a Monsieur Bonnefons is entitled to the honour of discovering, in 1753, the Cave of the Winds behind the Horseshoe Fall at Niagara.

DUNCAN, HELEN H. B. (ed.). *Diary of Elisha Harris Brown, of Missouri, January 29, 1860-March 26, 1860* (Ontario Historical Society papers and records, XXXVIII, 1946, 57-72). Gives a typical day-to-day life of the farmer of religious background and environment during the winter months in western Ontario counties in 1860.

HAHN, JOSEPHINE ELIZABETH. *Home of my youth: Hanover*. Hanover: The author. [1947.] Pp. 298.

KIRBY, WILLIAM. *The story of the range or cooking-stove* (Ontario Historical Society papers and records, XXXVIII, 1946, 73-6). The first scientific departure from primitive cooking and heating units was designed, manufactured, and patented in 1835 by the Van Normans of Long Point, Upper Canada.

LONDON, FRED. *Some Great Lake tragedies* (Western Ontario historical notes, V (2), June, 1947, 31-6).

MASTERS, D. C. *The rise of Toronto, 1850-1890*. Toronto: University of Toronto Press. 1947. Pp. xii, 239. (\$3.75) Reviewed on p. 444.

MORGAN, H. R. (ed.). *Parish register of Brockville and vicinity, 1814-1830* (Ontario Historical Society papers and records, XXXVIII, 1946, 77-108).

ROSSER, F. T. *Colonel Thomas Talbot vs. John Nixon* (Ontario Historical Society papers and records, XXXVIII, 1946, 23-9). When Colonel Talbot dispossessed John Nixon of his land in an attempt to discourage Reform activities in his domain, the latter fought and finally won his case.

SPRAGGE, GEORGE W. *The provincial agent for Upper Canada* (Ontario Historical Society papers and records, XXXVIII, 1946, 7-18). Gives an account of the appointment of William M. Halton as provincial agent for Upper Canada in 1816, of his accomplishments, and of the steps leading to the abolition of his office.

STEVENSON, JOHN A. *The founder of Galt* (Queen's quarterly, LIV (3), autumn, 1947, 336-42). William Dickson, a Scotchman who emigrated to Canada in 1792, bought a large tract of land in the Galt area and in 1816 commissioned Absalom Shade to lay the foundations of Galt.

TALMAN, J. J. *An episode in Latin-American and Canadian relations* (Ontario Historical Society papers and records, XXXVIII, 1946, 51-5). One small group of immigrants who came to Upper Canada in 1827 had a temporary Latin-American background.

— *The pioneer press in Western Ontario* (Western Ontario historical notes, V (2), June, 1947, 43-8).

— *The rise of the University of Western Ontario* (Western Ontario historical notes, V (2), June, 1947, 26-31).

[Toronto Normal School, Centennial Committee.] *Toronto Normal School 1847-1947*. Toronto: The School. [1947.] Pp. 52. A brief history of the first hundred years of the Toronto Normal School.

#### (4) The Prairie Provinces

IRVING, JOHN A. *Psychological aspects of the Social Credit movement in Alberta* (Canadian journal of psychology, I (1), Mar., 1947, 17-27; I (2), June, 1947, 75-86; I (3), Sept., 1947, 127-40). This article on the Social Credit movement is divided into three parts: "The Development of the Movement," "The Response of the People," and "An Interpretation of the Movement."

LIPSET, S. M. *The rural community and political leadership in Saskatchewan* (C.J.E.P.S., XIII (3), Aug., 1947, 410-28). Attempts to throw some light on the question of why a socialist party should have won office in the most rural province of Canada by an analysis of the leadership of the C.C.F. as compared with that of other community groups and political parties in Alberta.

MACFARLANE, R. O. *Manitoba* (Canadian geographical journal, XXXV (3), Sept., 1947, 124-52). Notes on Manitoba's historical background, resources and industries, climate, communications, people, and municipalities.

MEALING, S. R. *Old France in Alberta* (New trail, V (2), Apr., 1947, 78-80). A short sketch of the history of Trochu, Alberta.

#### (5) British Columbia and the Northwest Coast

GOUGH, JOHN. *British Columbia* (Canadian geographical journal, XXXV (1), July, 1947, 3-35). Notes on British Columbia's history, government, climate, population, waterways, cities, and resources.

HACKING, NORMAN R. *British Columbia steamboat days, 1870-1883* (British Columbia historical quarterly, XI (2), Apr., 1947, 69-112). Historical notes on the steamboats of the Fraser, Stikine, and Thompson Rivers and of Burrard Inlet.

MEEK, R. J. *Spanish explorers left their mark on Canada* (Saturday night, LXIII (5), Oct. 4, 1947, 20). The Canadian west coast and adjacent islands are sprinkled with many names commemorating voyages of Spanish explorers.

NELSON, DENYS. *Fort Langley, 1827-1927: A century of settlement in the valley of the lower Fraser River*. Vancouver: Art Historical and Scientific Association. [1947.] Pp. 31.

PETTIT, SYDNEY G. *Judge Begbie in action: The establishment of law and preservation of order in British Columbia* (British Columbia historical quarterly, XI (2), Apr., 1947, 113-48). Matthew Baillie Begbie was the first judge of the crown colony of British Columbia.

#### (6) Northwest Territories, Yukon, and the Arctic Regions

CHASE, WILL H. *Reminiscences of Captain Billie Moore*. Kansas City, Missouri: Burton Publishing Company. 1947. Pp. 236. (\$2.00) Tells of the adventures and experiences of Captain Billie Moore—pioneer and sourdough of the early days in the Northwest and Alaska.



CROFT, ANDREW. *Travel in Canada's Northland* (Geographical magazine, XX (2), June, 1947, 47-58). The author was British observer on the Canadian "Exercise Musk-Ox" expedition.

DOWNES, G. P. *Sleeping island, the story of one man's travels in the great barren lands of the Canadian North*. London: Herbert Jenkins. [1946.] Pp. 191. (15s.) First published in 1943 by Longmans, Green, New York and Toronto.

MANNING, T. H. *Explorations on the east coast of Hudson Bay* (Geographical journal, CIX (1-3), July, 1947, 58-75). The author examined the east coast of Hudson Bay between 57° and 60° North Latitude during the summer of 1944.

WILSON, C. P. *Nascopie: The story of a ship* (The beaver, outfit 278, Sept., 1947, 3-11).

#### (7) Newfoundland

BLACKMORE, LAURA. *Paper town: Grand Falls* (Atlantic guardian, III (8), Aug., 1947, 9-21).

HOWELL, MARY E. *Carbonear* (Atlantic guardian, III (7), July, 1947, 19-23). Notes on Carbonear, a town on the north shore of Conception Bay, Newfoundland.

YOUNG, EWART. *What would confederation mean to Newfoundland?* (Atlantic guardian, III (7), July, 1947, 4-8). Discusses the probable results of Confederation for Newfoundland with respect to family allowances, taxes, duties, national debt, civil service, immigration, transportation, and trade.

### VI. GEOGRAPHY, ECONOMICS, SCIENCE, AND STATISTICS

#### (2) Agriculture

JONES, ROBERT LESLIE. *History of agriculture in Ontario, 1613-1880*. With a foreword by FRED LANDON. Toronto: University of Toronto Press. 1946. Pp. xvi, 420. (\$4.25) To be reviewed later.

#### (3) Immigration, Emigration, Colonization, Population, and Population Groups

SANDWELL, B. K. *Population: A Canadian problem* (Queen's quarterly, LIV (3), autumn, 1947, 312-22). Canada seems to be producing too many people with skills and knowledges for her present population; immigration of people who can and will do the rough work would appear the best corrective measure.

#### (5) Transportation and Communication

EDGE, FREDERIC. *PICAO into ICAO: International Civil Aviation Organization* (Canadian geographical journal, XXXIV (6), June, 1947, 286-33). Every important land area in the world except Russia is taking an active part in ICAO, and Canada has become the hub of an aeronautical world scheme.

FERRIS, TERRY. *Railways of British North America* (Ontario Historical Society papers and records, XXXVIII, 1946, 31-42). Deals with pre-Confederation railway construction in British North America.

HARRINGTON, LYN. *North on the Hudson Bay Railway* (Canadian geographical journal, XXXV (2), Aug., 1947, 54-66).

HENRY, R. A. C. *Aviation in Canada* (Air affairs, I (4), summer, 1947, 452-61). The author believes that civil aviation can become a powerful factor in both the social and economic life of Canada.

### VII. EDUCATIONAL HISTORY

BARTH, PIUS J. *Franciscan education in French North America* (The Americas, IV (1), July, 1947, 3-31). Describes Franciscan educational work in French North America from the first schools established in the early decades of the seventeenth century to the present flourishing era.

BINKS, KENNETH C. *Canada's Library of Parliament* (Empire digest, IV (12), Sept., 1947, 28-30).

DAVIES, BLODEVEN. *A national library* (Canadian forum, XXVII (318), July, 1947: 84-5). Unity in Canada depends to a considerable extent upon cultural resources. One of these essential national services that is lacking is a national library.

GRAHAM, WILLIAM C. *et al.* *Education and the new age: A series of addresses delivered at United College, Winnipeg upon the seventy-fifth anniversary of its founding.* Toronto: Ryerson Press. 1947. Pp. x, 81. (\$1.50)

LOTTINVILLE, WILFRID LEMAISTRE DE. *Le Collège Masson de Terrebonne* (B.R.H., LV (8), août, 1947, 249-52). This college was founded about a century ago by l'abbé Adrien Thérberge.

WALLACE, R. C. *The Canadian universities* (Universities quarterly, II (1), Nov., 1947, 48-55).

### VIII. RELIGIOUS HISTORY

JESSETT, THOMAS E. *Origins of the episcopal church in the Pacific Northwest* (Oregon historical quarterly, XLVIII (3), Sept., 1947, 225-44). Deals with the religious activities of the Hudson's Bay Company in this region.

MILLMAN, THOMAS R. *Jacob Mountain, first Lord Bishop of Quebec: A study in church and state, 1793-1825.* (University of Toronto Studies, History and Economics series, vol. X.) Toronto: University of Toronto Press. 1947. Pp. viii, 320. (\$4.00) Reviewed on p. 441.

*The Presbyterian Church in America during the seventeenth and eighteenth centuries: An exhibition of books in the Clements Library prepared for the annual meeting of the Synod of Michigan, October 7-8-9, 1947.* (Bulletin XLIX.) Ann Arbor: Clements Library. 1947. Pp. 24.

### IX. GENEALOGY

LE BER, l'abbé JOSEPH. *Les origines de la famille Le Moine* (Revue d'histoire de l'Amérique française, I (1), juin, 1947, 101-7; I (2), sept., 1947, 257-70).

LEFEBVRE, JEAN-JACQUES. *En marge de trois siècles d'histoire domestique: La descendance de Pierre Lefèvre, 1646-1694, de Rouen, marié à Laprairie en 1673, à Marguerite Gagné, 1653-1720* (Revue de l'Université d'Ottawa, XVII (3), juill.-sept., 1947, 280-305).

ROY, P. G. *La famille LeGardeur de Repentigny* (B.R.H., LV (6), juin, 1947, 165-76; LV (7), juillet, 1947, 195-216; LV (8), août, 1947, 227-47).

### X. BIBLIOGRAPHY

*Bulletin bibliographique de la Société des Écrivains canadiens.* Montréal: Éditions de la Société des Écrivains canadiens. 1946. Pp. 117. (50c.)

Canada, Department of Labour. *Thirteenth report on organization in industry, commerce, and the professions in Canada, 1947.* Ottawa: King's Printer. 1947. Pp. viii, 267. (50c.) This is a general guide to the various industries, commercial associations, and professions in Canada.

Sir George Williams College Library. *Bibliography of Canadiana. Supplement 1944-1946.* Montreal: Sir George Williams College, 1441 Drummond St. 1946. Pp. 110 (mimeo.).

### XI. ART AND LITERATURE

ABELL, WALTER. *An introduction to Canadian architecture* (Canadian geographical journal, XXXIV (6), June, 1947, 250-77). Traces the development of Canadian

architecture through the colonial functional stage, the English Georgian phase, the Victorian era, and the modern period in which a style is developing dedicated to the service of life in Canada as modern Canadians want to live it.

BELL, ANDREW. *An artist to watch* (Canadian art, IV (4), summer, 1947, 140-3). Jack Nichols of Toronto, former naval war artist, has been awarded a Guggenheim fellowship for creative work in painting.

CORBETT, E. A. *Paul Kane in western Canada* (Geographical magazine, XX (3), July, 1947, 94-103). An article commemorating the centenary of Paul Kane's journey through western Canada in 1846-8.

HOLGATE, E. H. *Prudence Heward* (Canadian art, IV (4), summer, 1947, 160-1). With the death in March, 1947 of Prudence Heward of Montreal, Canada lost a distinguished painter.

JARVIS, LUCY. *Notes from a benighted Maritimer* (Canadian art, IV (4), summer, 1947, 162-4). Concerning the progress of the arts in the Maritime Provinces.

## NOTES AND COMMENTS

EDOUARD-ZOTIQUE MASSICOTTE  
(1867-1947)

In Montreal there died on November 7, 1947 Edouard-Zotique Massicotte, one of the greatest authorities on the history of New France.

E.-Z. Massicotte was born in Montreal on December 24, 1867, and was educated at the Montreal public schools and at Laval University (LL.B., 1895). He practised law for a few years, and then turned to journalism; but in 1911 he found his niche in life when he was appointed by Sir Lomer Gouin archivist of the Old Court House in Montreal. In this building there was housed, almost unknown to historical students, a vast store of documentary material relating to the history of the judicial district of Montreal back to the earliest times. The new archivist set to work to sort and to explore the materials placed in his care; and the result was a long series of books and pamphlets throwing new light on the history of Montreal and of Canada under the French régime.

E.-Z. Massicotte was already known as an author before he became archivist. He had published *La cité de Sainte-Cunegonde de Montréal* (Montreal, 1893), *Monographies de plantes canadiennes* (Montreal, 1899), *La famille Massicotte* (Montreal, 1904), *Cent fleurs de mon herbier* (Montreal, 1906), and *Athlètes canadiens-français* (Montreal, 1909). After his appointment as archivist he published *Montréal sous le régime français* (Montreal, 1919), *Dollard des Ormeaux et ses compagnons* (Montreal, 1920), *Faits curieux de l'histoire de Montréal* (Montreal, 1924), *Miettes d'histoire canadienne* (Montreal, 1924), *Moeurs, coutumes and industries canadiennes-françaises* (Montreal, 1924), and *Sainte Geneviève de Batiscan* (Three Rivers, 1936). He was also joint author, with R. Roy, of *Armorial du Canada français* (Montreal, 1915), and editor of *Conteurs canadiens-français du XIXe siècle* (3 vols., Montreal, 1908-13). But the range and depth of his researches into Canadian history are best seen in the multitude of papers and notes which he contributed regularly over many years to the *Bulletin des recherches historiques*. All one needs to do is to glance at his name in the index volumes of the CANADIAN HISTORICAL REVIEW and the *Review of Historical Publications Relating to Canada* to realize how great his contribution to Canadian history was. [W. S. WALLACE]

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ERNEST GREEN  
(1881-1947)

Ernest Green, long and favourably known in the Ontario Historical Society, died at his home in Niagara Falls on November 4. After serving on newspapers in Niagara Falls, Buffalo, and Toronto he joined the Department of Trade and Commerce at Ottawa in 1908 as statistician. In 1929 he was made investigator of foreign tariffs, a position in which he continued until superannuated in 1943. In the field of history he was well known for the extent of his research, and his passion for accuracy. The subjects he treated were many, including "Lincoln at Bay," "Niagara Portage Road," "Gilbert Tice," "Canada's First Electric Telegraph," "John Decew, Pioneer," "Upper Canada's Black Defenders," "Township No. 2," "The Search for Salt in Upper Canada," "Some Graves at Lundy's Lane," "Frey," "Thompson's of Perthshire," "War Clouds over the Short Hills," "Corvettes of

New France." Mr. Green was a fellow of the Royal Historical Society of Great Britain, 1928, president of the Ontario Historical Society, 1930-1; honorary president of Lundy's Lane and Welland County Historical Societies; member of other historical organizations in Ottawa, Toronto, Niagara, and Fredericton, N.B., regimental historian of the 2/10th Dragoons, 1943, and of the 176th Battalion.

[LOUIS BLAKE DUFF]

#### THE TWO JOHN FENNINGS TAYLORS

It has often been remarked that the confusion in Canadian history between persons of the same name has been extraordinary. There were two Simon Frasers who were partners of the North West Company; there were two John Hamilton Grays who attended the Quebec Conference, both Colonels, and both delegates from the Maritime Provinces; and there were two Alexander Beggs, contemporary and of nearly the same age, who wrote books about Western Canada. There were two John Hamiltons appointed to the Senate of Canada in 1867; and there were at the same time in public life in Canada two persons officially known as "The Hon. John Simpson."

There has recently come to my notice still another case of confusion between persons of the same name in Canadian history. There lived in Canada in the nineteenth century two persons by the name of John Fennings Taylor. Both entered the service of the Legislative Council of Upper Canada and served as clerks of the Legislative Council of United Canada, and of the Canadian Senate; and both married members of the Denison family of Toronto. By more than one writer they have been treated as the same person.

John Fennings Taylor the elder was born at Dovercourt, England, on January 26, 1801, and came to Canada when about twenty-one years of age. He entered the service of the Legislative Council of Upper Canada in January, 1822; was appointed in 1841 clerk assistant to the Legislative Council of United Canada; and was appointed clerk in 1850. He became clerk of the Senate in 1867. He retired from this post in 1871, and he died at Rolyat House, Ottawa, on December 18, 1876. About 1825 he married Elizabeth Sophia, daughter of John Denison and Sophia Taylor. (For much of the information contained in this paragraph I am indebted to Mrs. A. W. Langmuir, the daughter of Colonel George T. Denison.)

John Fennings Taylor the younger was the nephew of the elder John Fennings Taylor. He was born in London, England, in 1817, came to Canada in 1836, and like his uncle entered the service of the Legislative Council of Upper Canada. He was appointed first office clerk of the Legislative Council of United Canada in 1841, and became clerk assistant in 1855. In 1867 he was appointed deputy clerk of the Senate. He died on May 4, 1882, at Old Point Comfort, Virginia. In 1838 he married Mary Elizabeth (1818-1851), daughter of George Taylor Denison and Esther Borden Lippincott. He is to be distinguished from his uncle mainly by the fact that he was the author of a number of books: *Portraits of British Americans* (3 vols., Montreal, 1867-8), *Thomas D'Arcy McGee* (Montreal, 1868), *The Last Three Bishops Appointed by the Crown for the Anglican Church in Canada* (Montreal, 1870), and *Are Legislatures Parliaments?* (Montreal, 1879). During his life-time he attempted to distinguish himself from his uncle by using the name "Fennings Taylor," while the uncle subscribed himself "John F. Taylor."

W. STEWART WALLACE

The Library, University of Toronto.

## THE ANNEXATION MOVEMENT IN NOVA SCOTIA

THE CANADIAN HISTORICAL REVIEW has received the following interesting letter from His Honour Judge George Patterson, retired county court judge, New Glasgow, N.S.:

I think Mr. Warner exaggerates the depth and extent of "The Post-Confederation Annexation Movement in Nova Scotia" in his article published in your issue of June last; but, be that as it may, there are statements in the article that require explanation if not correction. In note 12, page 160 for example, a Marshall is said to be a former chief justice of Nova Scotia. We never had a chief justice of that name. Evidently Mr. Warner is referring to John G. Marshall, chief justice of the Court of Common Pleas for Cape Breton. No one by the name of Underwood was elected from Nova Scotia in the election of 1867, though the note referred to says in effect that there was.

Of the by-election in Richmond County, Mr. Warner writes: "A candidate, reputedly an annexationist, was returned after a canvass which seems to have excited almost no outside interest." By whom, I wonder, was that stout Jersey man Isaac Levisconte reputed to be an annexationist. It would not be by his family or any one who knew him intimately. And if there was "almost no outside interest" there certainly was plenty in the County itself. As late as 1887 that by-election was still talked about. In that year I heard stories in Arichat, the county town of Richmond, of how Senator Miller was not allowed to speak on nomination day; and of how well in debate Levisconte stood up to his redoubtable opponent the Honourable W. A. Henry, who had been attorney-general in the Tupper Government and was afterwards a judge of the Supreme Court of Canada.

His reference to the by-election in Yarmouth County, I find difficult to understand; and the Yarmouth County histories throw no light upon it. "The Annexationists nominated Frank Killam. The confederationists soon lost hope of defeating him at the polls and planned instead 'to work on him' after his election. The results of the polling proved the wisdom of this decision."

What are the facts? Thomas Killam who had been elected to the House of Commons in 1867 as an anticonfederate died in 1869. His third son Frank succeeded him. He was re-elected in 1872, 1874, and 1878. Never at any time was he successfully "worked on." Mr. MacDougall, Canada's first auditor-general, who previous to his appointment had represented an Ontario constituency in the Commons told me, that after the election of 1872, it was a common joke or gibe at Ottawa that "all the members from Nova Scotia had been won over except Carmichael (Pictou), Jones and Power (Halifax), and Killam (Yarmouth) and they were all men of independent means."

It must be remembered that in the election of 1872 Howe was still alive and a number who could only be described as "Howe men" were elected. That these were not really Government supporters the election of 1874 conclusively proved.

## REVIEW OF G. A. REID, CANADIAN ARTIST

The following comment has been received from Mr. Louis Blake Duff of Welland, Ontario:

The extreme tone of the review by Graham McInnes of Muriel Miller Miner's *G. A. Reid, Canadian Artist* in your September issue is something entirely new in



the life story of the CANADIAN HISTORICAL REVIEW. It is a volume, says your reviewer, uncommonly dull, bordering on the ludicrous. That certainly puts the book in its place and Mrs. Miner in her place. Nor is Mr. McInnes content with this; he must put G. A. Reid in his place too. Reid, we are told, was not a painter but only "a moderately competent practitioner in the field of illustration." Thus the door of the temple is slammed in the face of the poor man. His work was mediocre. He will be remembered "as the painter of 'The Foreclosure of the Mortgage'," as the "Sir Luke Fildes of Canadian painting."

Before reading the review, I had immensely enjoyed the biography and I can name half a dozen others in widely separated parts of Canada who, until now, had held it in high esteem. We all had been led into this error by the fact that we are not art critics. I have by me as I write, however, two letters from men who do know intimately the field of Canadian art, and who take a very different view from that of Mr. McInnes. Both knew G. A. Reid, his work, and the book on his life. One of them, Dr. C. W. Jefferys, writes: "The book is about a man who was neither dramatic nor picturesque, but who did have exceedingly solid qualities. G. A. Reid's interest in art education exceeded that of any other Canadian, and he extended to young artists more of help, guidance, sympathy and friendship than did any other. In addition to his contributions to Canadian painting as a creative artist, he steadfastly and continuously furthered the cause of art appreciation throughout the community. To his persistence we largely owe the establishment of the Ontario College of Art and the Art Gallery of Toronto."

"Reid, in his day, was our most important figure painter, and, I think, he still retains his pre-eminence. He was not afraid to let his pictures tell a story, but he always did it within the terms of his art. They are, many of them, social documents that faithfully reflect the ideas, the feelings and the atmosphere of their time. Thus his 'Mortgaging of the Homestead' and 'Foreclosure,' for instance, give us a valuable record of the economic situation of the 1890's. 'Logging,' 'Family Prayer,' etc. depict phases of family life in Ontario which he knew from personal experience. It is ridiculous and altogether untrue to dismiss a creative and interpretative artist such as this as insignificant. That his art and his mind continued to grow is shown by his last most important work: the magnificent series of decorative paintings of the prehistoric world in the Royal Ontario Museum."

Is it possible that after all G. A. Reid had some sort of gleam not discerned by Graham McInnes?

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#### NEWSPAPER MICROFILMING PROJECT OF THE CANADIAN LIBRARY ASSOCIATION

In 1942 the Rockefeller Foundation made a grant of \$15,000 to the Canadian Library Council for the purpose of microfilming early Canadian newspapers. Because of war conditions it was impossible to purchase a camera suitable for this work until the winter of 1947. In the meantime the Canadian Library Association was formed and the obligations of the Canadian Library Council were taken over by it.

During the past year three persons were appointed to a Microfilming Committee by the Association: Mr. R. M. Hamilton, chairman, Miss Elsie McLeod

Murray, and Miss Martha Shepard. A camera was procured, and set up in the Public Archives of Canada, Ottawa, through the co-operation of Dr. Gustave Lanctot, and a comprehensive list of newspapers was drawn up with the advice of historians, archivists, and librarians from all sections of the country.

During the past few months several newspapers have been microfilmed and positive copies may be obtained from the committee. Files of the following Ontario newspapers have been completed: the *Colonial Advocate*, 1824-34, 195 feet, \$38.00; the *Canadian Freeman*, 1825-34, 70 feet, \$9.50; the *Examiner*, 1840-55, 258 feet, \$25.00; the *North American*, 1851-5, 165 feet, \$15.00; the *British Colonist*, 1838-4, 460 feet, \$55.85; the *Nation*, 1874-6, 95 feet, \$10.90; the *Canadian Emigrant*, 1831-6, 54 feet, \$5.50; *Voice of the Fugitive*, 25 feet, \$2.45; *Grand River Sachem*, 1866-8, 57 feet, \$5.45. The *Upper Canada Gazette*, 1793-1845 (including the *York Weekly Post*, 1821, and the *United Empire Loyalist*, June to Dec., 1828) is now in process of being filmed.

Newspapers from the province of Quebec are prepared for the camera and should be completed within the next few months. These include the *Quebec Gazette*, *Le Canadien*, *La Minerve*, *L'Avenir*, the *Canadian Courant*, *Montreal Herald*, the *Vindicator* and *Canadian Advertiser*, and the *Pilot*.

Similarly, work is progressing in the provinces of British Columbia, Manitoba, Saskatchewan, Alberta, Nova Scotia, and New Brunswick, where representatives of the committee are working on the local collections. The *Victoria Daily Colonist*, 1858-71, has been photographed in the British Columbia Archives and other British Columbia newspapers will be undertaken shortly.

Every effort is being made to locate copies of these newspapers in libraries in Canada and the United States so that the films will be as complete as possible and so that the most legible copy available will be thus preserved. At the completion of the project a descriptive catalogue of the newspapers microfilmed will be distributed. In the meantime, information concerning the films may be obtained from Mr. R. M. Hamilton, Library of Parliament, Ottawa.

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#### ANGLO-AMERICAN CONFERENCE OF HISTORIANS

The pre-war practice of holding an annual Anglo-American Conference of Historians in London was revived on July 5, 1947, when a one-day meeting was held at the Institute of Historical Research under the chairmanship of Sir Charles Webster. Six papers dealing with recent and projected work in British and European history were read. They will be printed in the forthcoming number of the Institute's *Bulletin*. A representative Anglo-American Historical Committee was elected by the Conference, the success of which has encouraged the Committee to plan a more ambitious conference lasting two days and a half to be held in the new building of the Institute in July, 1948. One subject for discussion will be the field of American history, using the term in the widest sense to embrace Canada, the West Indies, and Latin America. Any Canadian scholars, who hope to be in England early next July and would like to receive invitations to the Conference, should communicate with the Secretary, Institute of Historical Research, Senate House, London, W.C.1.

## CANADIAN SOCIAL SCIENCE RESEARCH COUNCIL FELLOWSHIPS

The Canadian Social Science Research Council is able to make these fellowships available through a grant received from the Rockefeller Foundation. The fellowships are limited to students who have completed one year of post-graduate work. The minimum value of the fellowships is \$750 plus allowance for fees, travel, etc., the whole not to exceed \$1,500. Further information may be obtained by writing to Dr. John E. Robbins, Secretary of the Council, 166 Marlborough Avenue, Ottawa.

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## COPIES OF THE MARCH, 1947, ISSUE WANTED

Readers are requested to note the advertisement for copies of the March, 1947, issue of the CANADIAN HISTORICAL REVIEW. Some additional copies are needed, and we shall greatly appreciate the assistance of anyone who can help to supply them.

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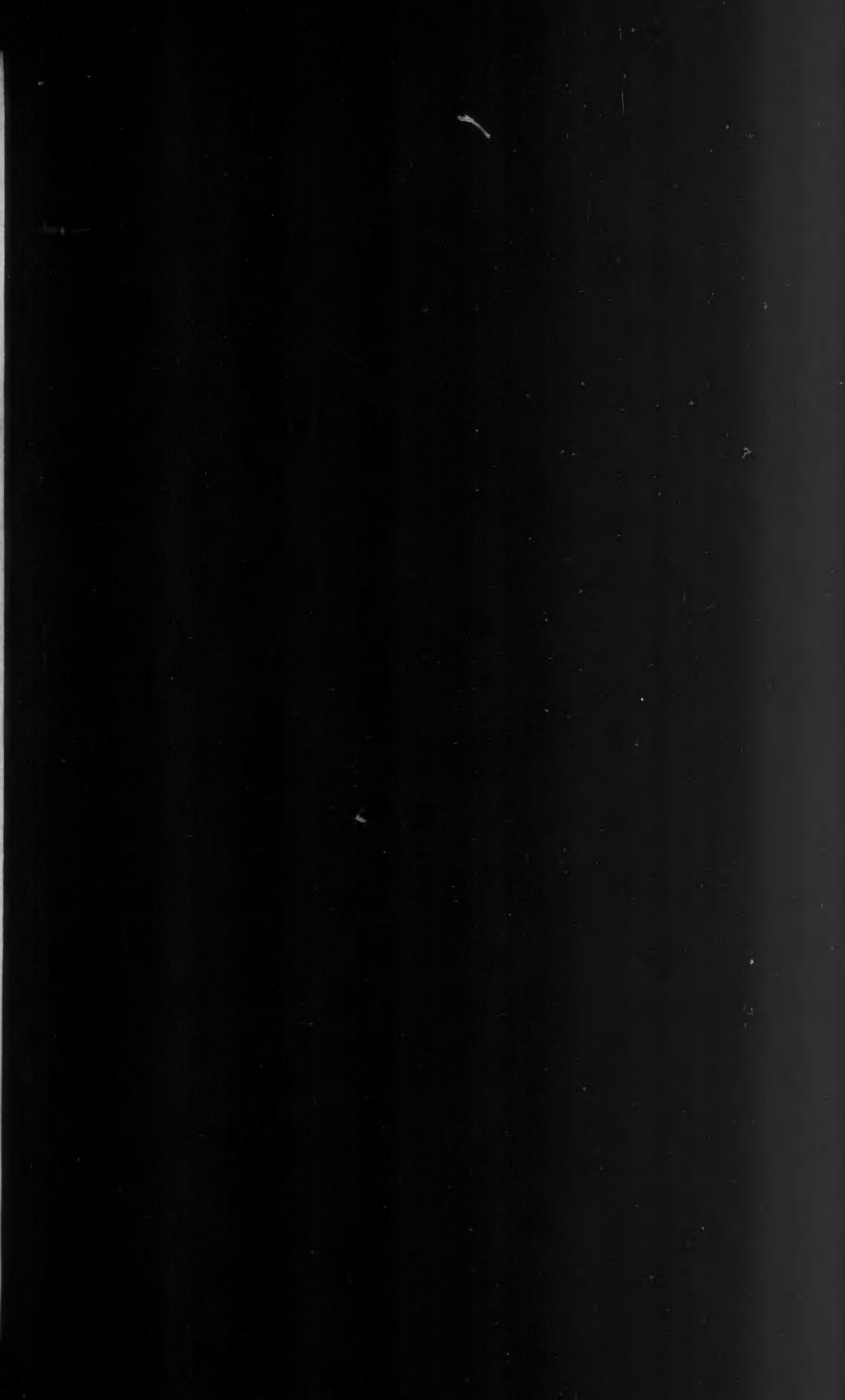
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# The Canadian Historical Association

1947-1948

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## OBJECTS

To encourage historical research and public interest in history;

To promote the preservation of historic sites and buildings, documents, relics, and other significant heirlooms of the past;

To publish historical studies and documents as circumstances may permit.

## MEMBERSHIP

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